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AMERICAN INDIVIDUALISM: FACT AND FICTION*

ALPHEUS T. MASON
Princeton University

For two generations American political and economic life has been moving swiftly toward "bigness," toward monolithic organization. We live by, in, and among bigger and bigger corporations, bigger and bigger unions, bigger and bigger governments. On all sides individual freedom and responsibility have shrunk. Absorbed into organizations bigger than himself, the American tends to be overpowered by these organizations, whether of industry, labor or agriculture. And whatever his orientation, he must operate in and under an ever-expanding multilateral network of occupational and governmental regulation.

In the shadow of such manifold giantism modern men—practically all of them employees who rate themselves "middle class"—seem but puny figures. Man's own handiwork has become a Frankenstein monster, destroying his initiative and individuality. In the grip of forces he has created, helpless single-handed to control, he suffers from loneliness, from not belonging, from impersonality. Millions who live in great cities, hundreds of thousands employed in assembly-line factories and organized in industrial unions, thousands of stockholders who can only endorse management's policies governing "their" billion dollar corporation —all these experience frustration, helplessness.

The free individual of an earlier day used his initiative and inventive genius to build the monsters that now enslave him, only to find himself "a lonely member of the crowd." Confronted by issues he cannot understand, responsibilities he feels incompetent to discharge, he expresses his individuality in a variety of counterfeit forms. He may try to fuse his personality with something or somebody outside himself, and thus gain the power and significance he sorely lacks. He may submerge his native individuality to win a transient sense of freedom by conforming, by becoming an automaton, by acting precisely as does the crowd of which he is an unintegrated part.

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* This paper was the introductory lecture delivered on November 14, 1951, at the Northwestern University Centennial Conference on "Individual, Group and Government in the Modern Economy."

The most commonplace media portray the individual's dilemma. Mickey Mouse, hunted and harassed by something big and strong, escapes only because some sequence of bizarre accidents blocks the monster's route. Unless it touched upon something very close to their emotional life, Erich Fromm observes, "people would not be ready to look continually at the many variations of this one theme."[1] The individual is lost, David Riesman writes in his recent book, *The Lonely Crowd,* "because he never comes really close to the others or to himself."[2] The ease with which totalitarians exploit the individual's loneliness is well known. On this side of the Atlantic its political significance is not so well understood.[3]

How does man's position in our contemporary social and economic context square with "these truths" which Jefferson wrote into the Declaration of Independence? Can any catchword adequately define a tradition so ambivalent that it is at one and the same time revolutionary and negative, at another time conservative and obstructive, sometimes positive and creative, and never wholly democratic? I venture to call this heritage individualistic only because opportunity remains to add appropriate qualifications.

Attempting no more than "to place before mankind the common sense of the subject," Jefferson wrote: "We hold these truths to be self-evident—that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. . . . "

The intervening years have seen no change in our verbal devotion to these linguistic verities. Yet these "self-evident" truths have been, on occasion, openly flouted and sometimes specifically repudiated, prompting the Harvard philosopher, George Santayana, to classify the immortal Declaration as "a piece of literature," "a salad of illusions."[4] This is obviously an extreme position, but one may note that the newspapers of 1776 carried the printed text of the Declaration on the same pages with advertisements of slaves and indentured servants, identified by iron collars on their necks, bearing the master's brand mark. For our revolutionary patriots the purpose of government was the "safety and happiness of the people." During the first eighty-five years of our history, however, slaves were not people; in certain states men without property were not, for political purposes, people. The men whose voices counted in public affairs were the gentry, the freeholders, taxpayers, and Christians, usually Protestant.

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[1] *Escape from Freedom* (New York, 1941), p. 132.

[2] (New Haven, 1950), p. v. James M. Burns and Jack W. Peltason explore the implications of this fact for politics in Chapter 3 of their bold and refreshing book, *Government by the People* (New York, 1952).

[3] For a study of the corrosive effects of the unsatisfied craving for status, see T. Adorno *et al., The Authoritarian Personality* (New York, 1950).

[4] Quoted in Edward Dumbauld, *The Declaration of Independence and What It Means Today* (Norman, Okla., 1951), p. 55.

Nor is this all. In 1776 we were firmly committed to majority rule as measuring the consent of the governed. For Madison "the majority who rule . . . are the safest Guardians both of public Good and private rights."[5] For Jefferson, too, "absolute acquiescence in the decisions of the majority" was the "vital principle of republics."[6] But this doctrine was no sooner embodied in the Articles of Confederation and the state constitutions than it was queried on all sides. In Jefferson's own Constitution of Virginia, legislative dominance and majority rule prompted him to declare that "an *elective despotism* was not the government we fought for, but one which should not only be founded on free principles but in which the powers of government should be so divided and balanced among several bodies of magistracy, as that no one could transcend their legal limits, without being effectually checked and restrained by the others."[7] Hamilton made the same point in his *Federalist* papers, noting that the "science of politics" had recently "received great improvement."[8] Among other gains, he cited the regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior—all being designed to set limits on majority rule.

Evidently the revolutionary fathers were not entirely free from what Dr. Benjamin Rush called "ignorance of the forms and combinations of power in a Republic." "In our opposition to monarchy," he wrote, "we forgot that the temple of tyranny has two doors. We bolted one of them by proper restraints; but we left the other open, by neglecting to guard against the effects of our own ignorance and licentiousness."[9] Nowhere were our difficulties more conspicuous than in certain state legislatures where the "injustice of the laws," especially infringements on the rights of property, had been carried to such a point, Madison complained, as "to bring more into question the fundamental principle of republican government"—majority rule.[10]

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[5] James Madison, "Vices of the Political System of the United States," April, 1787, in *The Writings of James Madison* (Hunt ed., New York, 1901), Vol. 2, p. 366.

[6] First Inaugural Address, March 4, 1801, in J. D. Richardson (ed.), *Messages and Papers of the Presidents* (1917), Vol. 1, p. 323.

[7] *The Writings of Thomas Jefferson* (Washington ed., New York, 1861), Vol. 8, p. 361.

[8] *The Federalist* (Modern Library ed., New York, 1941), No. 9, p. 46.

[9] H. Niles, *Principles and Acts of the Revolution* (Baltimore, 1822), p. 226.

"What astonishing changes a few years are capable of producing," Washington wrote John Jay on August 1, 1786. "What a triumph for the advocates of despotism to find that we are incapable of governing ourselves and that systems founded on the basis of equal liberty are merely ideal and fallacious!"[11] Later that same year General Henry Knox added to Washington's disquiet, writing of "people who are insurgents"—the Shaysites in Massachusetts and those of like sentiments in other states. "Their creed is," Knox told Washington, "that the property of the United States has been protected from the confiscations of Britain by the joint exertions of all, and therefore ought to be the common property of all." "This dreadful situation," he warned, "has alarmed every man of principle and property in New England. . . . Our government must be braced, changed, or altered to secure our lives and property,"[12]—that is, against popular licentiousness, against "over-bearing" legislative majorities.

By 1787 the task of forming a free government, the arduous work of welding together the opposing elements of liberty and restraint into one consistent whole, presented itself in all its baffling complexity. Democracies, Madison said, had ever been "spectacles of turbulence and contention," had ever been found "incompatible with personal security or the right of property."[13] Auxiliary precautions—separation of powers, checks and balances, federalism, judicial review—had therefore to be built into the constitutional structure "to check the inducements of a majority to sacrifice the weaker party or an obnoxious individual." Madison indicated the peculiarly American approach in *Federalist 51*: "In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place you must oblige it to control itself. A dependence on the people [the ballot box, political checks] is, no doubt, the primary control on government; but experience has taught mankind the necessity of auxiliary precautions."[14] By 1787 the "science of politics" had also revealed the form these precautions might take: a nonpopular senate, an appointive judiciary holding office during good behavior and an indirectly popular executive, checking each other—these were among the new securities.

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[10] *Writings*, Vol. 2, p. 366.

[11] C. A. Beard, *An Economic Interpretation of the Constitution* (New York, 1921), p. 58.

[12] *Ibid.*, p. 59.

[13] *Federalist*, No. 10, p. 58.

[14] P. 337.

Democratic "excesses" had been glaring enough during the so-called critical period, 1783–1787. Unless constitutional correctives were found, the danger of "wild and savage licentiousness" promised to be even greater in the years ahead. On the floor of the Philadelphia Convention, Madison, looking to "future times," anticipated that "a great majority of the people will not only be without land, but any other sort of property." When this has occurred, he predicted, the propertyless masses will "either combine under the influence of their common situation; in which case, the rights of property and the public liberty will not be secure in their hands; or what is more probable, they will become tools of opulence and ambition, in which case, there will be equal danger on the other side."[15]

In the secrecy of the Convention, economic interests and class bias were freely expressed as valid motives; democracy evoked such general scorn that George Mason suggested moderation lest "we should incautiously run to the opposite extreme." "Notwithstanding the oppressions and injustice experienced among us from democracy, the genius of the people is in favor of it," Mason said, "and the genius of the people must be consulted."[16] Franklin likewise was moved to state his distaste of everything that might "depress the virtue and spirit of our common people."[17] The dynamic thread in our political fabric was now obvious. Running through it all are basic conflicts: economic power against political power, interests against numbers, property against persons, minority rights against majority rule.

The Founding Fathers inherited from James Harrington his maxim that "power always follows property." "This, I believe," John Adams said, on May 26, 1776, "to be as infallible a maxim in politics, as that action and reaction are equal is in mechanics."[18] Despite the early period of Democratic-Republican rule, many responsible political leaders remained under Harrington's spell. By and large his *Oceana* of 1656 supplied the American party line. No serious inroad was made on its dominance until after 1820, when Massachusetts, New York, and Virginia held conventions to revise and liberalize their constitutions. Proponents of economic privilege were vehemently opposed to such changes. In Virginia, the proposal that existing property restrictions on suffrage be erased roused old John Randolph to shout: "It is the first time in my life, that I have ever heard of a Government, which was to divorce property from power." The effort would prove impossible, in any event, he said. "The moment you have separated the two, that very moment property will go in search of power, and power in search of property. . . ."[19] "There is a constant tendency in the poor," said Chancellor Kent of New York, "to covet and to share the plunder of the rich; in the majority to tyrannize over the minority, and trample down their rights."[20] "Universal suffrage once granted, is granted forever, and never can be recalled." Completely underestimating the genius of reactionaries, Kent concluded: "There is no retrograde step in the rear of democracy."[21]

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[15] Max Farrand (ed.), *The Records of the Federal Convention* (New Haven, 1921), Aug. 7, Vol. 2, pp. 203–4.

[16] *Ibid.*, June 4, Vol. 1, p. 101.

[17] *Ibid.*, Aug. 7, Vol. 2, p. 204.

[18] Charles Francis Adams (ed.), *The Works of John Adams* (Boston, 1851), Vol. 9, p. 376.

As Kent in New York, Randolph in Virginia, and Webster in Massachusetts grappled with the hard facts of an American society already headed into industrialism, they were taunted on all sides by opposing delegates who harked back to our exalted eighteenth-century individualist ideals as the true goal. The wild forebodings of reactionaries, they argued, were not only blind to the fundamentals of 1776, but also at odds with the motivations of the common man. "Every member of this convention," P. R. Livingston of New York insisted, "is a friend of property and to the landed interest."[22] In a country like ours, rich in natural resources and educational opportunities, the Kent-Randolph notion of social stratification was inapplicable. In America, unlike Europe, "real property," a New York delegate predicted, "will be in the hands of the many" because "the desire of acquiring property is a universal passion."[23]

One cannot read these historic debates without a sense of the great and continuing paradox that permeates our political thought. Warring against each other were the moral ideals of freedom, the basic axioms Jefferson wrote into the Declaration, and an impassioned insistence that "inevitable" economic inequality must be maintained by specific constitutional safeguards.

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[19] *Proceedings and Debates of the Virginia State Convention of 1829–30* (Richmond, 1830), p. 319.

[20] *Reports of the Proceedings and Debates of the Convention of 1821*, Assembled for the Purpose of Amending the Constitution of the State of New York (Albany, 1821), p. 221.

[21] *Ibid.*, p. 222.

[22] *Ibid.*, p. 224.

[23] *Ibid.*, 243. "It is supposed by the gentleman before me [Kent]," the delegate observed, "that landed property will become insecure under the proposed extension of the right of suffrage. . . . The gentleman has drawn a picture from the existing state of society in European kingdoms, which would be indeed appalling, if we could suppose such a state of society could exist here. But are arguments, drawn from the state of society in Europe, applicable to our situation? . . . The supposition that, at some future day, when the poor shall become numerous, they may imitate the radicals of England, or the jacobins of France; that they may rise, in the majesty of their strength, and usurp the property of landholders, is so unlikely to be realized, that we may dismiss all fear arising from that source. Before that can happen, wealth must lose all its influence; public morals must be destroyed; and the nature of our government changed" (pp. 242–43).

After the liberal triumph in the state conventions and the election of Jackson in 1828, the followers of Harrington found themselves cornered. If the liberals accepted the views of Kent and Randolph, that economic antagonism inevitably divides society, it was logical for them to use their newly won political power to attack property. Faced with this dangerous possibility, the diehards did a quick about-face. They accepted their opponents' central thesis that America differs from Europe, that doctrines of class war do not apply; that all elements of American society do have a basic interest in maintaining the institution of private property.[24] It was agreed that concentrated wealth and dispersed political power would put a heavy strain on Free Government, and Daniel Webster, casting himself in the role of prophet, remarked with uncanny prescience that "if the tendency of the laws were to create a rapid accumulation of property in few hands, and to render the great mass of the population dependent and penniless, . . . the popular power must break in upon the rights of property, or else the influence of property must limit and control the exercise of popular power."[25] Herein Webster forecast the dynamics of American politics after 1870. What is more, he divined one of the crucial issues of our own time.

These currents of political upsurge, taking shape as the Jacksonian revolution, made use of various devices—the national nominating convention, rotation in office, etc.—to bring government closer to the people. Jackson also started a vigorous campaign to destroy government-created economic and political privilege. Representing, as it did, both an enlargement of democracy and an expansion of liberated capitalism, it may be that America then came closer to realizing the precepts of the Declaration of Independence than at any time before or since. The country was moving rapidly in the direction of universal male suffrage. Liberty meant more because it was more closely coupled with economic equality. Tools of production were relatively simple and inexpensive, their ownership rather easily obtained and widely diffused. Even if one man were hired to work for another, he could and did look forward, usually not in vain, to independence in his own shop and on his own land. The Great West beckoned, property resources were of vast scope, and our government land policy enhanced individual opportunity. Little wonder that the visiting French aristocrat, de Tocqueville, was so much impressed. "Nothing struck me more forcibly," he wrote in the middle thirties, "than the general equality of conditions. . . . There is not one country in the world where man more confidently reaches toward the future, where he feels with so much pride that his intelligence makes him master of the universe, that he can fashion it to his liking."[26]

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[24] Arthur Schlesinger, Jr., *The Age of Jackson* (Boston, 1946), Ch. 22.

[25] *Journal of Debates and Proceedings in the Convention of Delegates Chosen to Revise the Constitution of Massachusetts* (The *Daily Advertiser*, Boston, 1821), p. 244.

The gains were both political and spiritual. "A great sub-division of the soil, and a great equality of condition," Webster had said in 1820, is the "true basis most certainly of a popular government."[27] A century later R. H. Tawney pointed to the spiritual satisfaction gained. "It is a quietness to a man's mind to live upon his own and to know his heirs certain,"[28] he said. During the age of Jackson one could, without risk of ridicule, use the familiar tag "rugged individualism" to describe both an economic condition and a political state of mind.

But signs were not wanting of a new aristocracy in the making, of increasing population pressure, of incipient forces of revolution and counterrevolution. In 1870, apropos the Emancipation Proclamation and the achievement of universal manhood suffrage, Walt Whitman observed: "It is provided in the very essence of things that from any fruition of success, no matter what, shall come forth something to make a greater struggle necessary." De Tocqueville had anticipated the nature of that struggle. "I am of opinion," he had written a generation earlier, "that the manufacturing aristocracy which is growing up under our eyes is one of the harshest which ever existed in the world."[29] In 1871 John Adams' grandson, Charles Francis Adams, confirmed de Tocqueville's forecast.

Adams had just returned after serving five years as our wartime minister to England. Among the changes the years had wrought, he cited "greatly enlarged grasp of enterprise and increased facility of combination." The corporation was supplanting partnership. Adams spoke of "the most remarkable examples of organized lawlessness, under the forms of law," pointed an accusing finger toward "certain single men at the head of vast combinations of private wealth" and concluded: "These modern potentates have declared war, negotiated peace, reduced courts, legislatures, and sovereign States to an unqualified obedience to their will, disturbed trade, agitated currency, imposed taxes, and, boldly setting both laws and public opinion at defiance, have freely exercised many other attributes of sovereignty. . . . All this they wielded in practical independence of the control both of government and of individuals; much as petty German despots might have governed their little principalities a century or two ago."[30]

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[26] Alexis de Tocqueville, *Democracy in America*, trans. Henry Reeve (Boston, 1882), Vol. 1, p. 1.

[27] *Journal of Debates and Proceedings . . . to Revise the Constitution of Massachusetts*, p. 245.

[28] Quoted in C. Wright Mills, *White Collar: The American Middle Class* (New York, 1951), p. xxi.

[29] De Tocqueville, Vol. 2, p. 197.

In the transition from agrarianism, the independent small business man had, as Adams said, fallen before trusts and monopolies; entrepreneurs had been forced to become workers for someone else; workers themselves had become parts of an industrial machine which was dependent for mass production on a precise division of labor and upon mass production for profits. More and more workers became dependent on big companies for their jobs; responsibility for their welfare shifted from themselves to their employers, and ultimately to government. As if by design, industrial absolutism and political democracy had progressed simultaneously. With the achievement of "one man, one vote," the great masses were not long content to be "miserable and sovereign." As Webster had anticipated, they sought increasingly to use government as an instrument for protecting and advancing their own welfare against the by-products and abuses of the factory system, of finance capitalism. Certain contemporary observers traced the ground swell of popular agitation straight to the radicalism of Andrew Jackson. To them the dire predictions of conservative statesmanship had been borne out.

"By far the larger part of all doubtful legislation which the history of the country presents," Thomas M. Cooley wrote in the *Princeton Review* of March, 1878, "has taken place since the year 1846, when radical ideas began to be characteristic of State constitutions, and the theory that officers of every department should be made as directly as possible responsible to the people after short terms of service, was accepted as a political maxim . . . the times have invited legislative experiments, and the invitation has been freely accepted."[31] Half of Webster's forecast was now fulfilled: "Popular power," in the form of restrictive legislation enacted by duly elected representatives, had begun to break in on "the rights of property." It remained only for the "influence of property" to find new ways "to limit and control the exercise of popular power."

The fact is that much of the new legislation flew in the face of Jackson's laissez-faireism, proceeding, as it did, on the "radical" assumption that government must keep order socially as well as physically, that law must protect a man from whatever robs him of his freedom, whether that force be physical or of a subtler sort. That is why when society, disrupted by technology and finance capitalism, sought to safeguard individual liberty and equality of opportunity, attempting to weave again, through democratic action, the delicate web of community, the high priests of the law stood defiantly by their icons. For the legal profession, as for Herbert Spencer (indeed he was their mentor), liberty was measured solely by "the paucity of restraint which *government* imposes on him." Against legislation designed to regulate and control the new potentates, arose an interested clamor for unrestricted competition; the constitutional demand was heard that government must not interfere or undertake to regulate "free enterprise." To shift from legislating for the few to legislating for the many, to transfer emphasis from the doctrine of pseudo-laissez-faire, under which industrialism had flourished, to a social philosophy which took cognizance of human welfare and social justice—all this would, they said, reverse the natural currents that were sweeping the nation on to permanent prosperity. Their supreme confidence arraigned the present and arranged the future.

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[30] *North American Review*, Vol. 112, pp. 241–2 (April, 1871).

[31] "Limits of State Control of Private Business," *Princeton Review*, p. 236 (March, 1878).

With cool and awesome authority the courts even-handedly accorded unequals a vacuous equality, seemingly unaware that "this conventional principle of unmitigated and inalienable freedom of contract began to grow obsolete," as Thorstein Veblen observed in 1904, "from about the time it was fairly installed."[32] The legal and ideological content of American individualism thus remained unchanged while the substance of our basic civil rights had undergone revolution. "The struggle for life," William Dean Howells wrote in the eighteen-nineties, "has changed from a free fight to an encounter of disciplined forces, and the free fighters that are left get ground to pieces. . . . "[33]

In support of what were accepted as the "decrees of a large, far-seeing benevolence" that left "so many in shallows and miseries,"[34] industrialists and their lawyer-judge adjuncts invoked against regulatory legislation the embellishments of almighty science and the enshrined authority of the Constitution.[35] To say that our Fundamental Law was judicially amended is merely to paraphrase the pointed words of dissenters, including the most eminent of them all, Justice Holmes. Endangered by vigorous protests, and in refutation of Kent's fatalistic prediction of 1821, "the influence of property" had found new ways "to limit and control the exercise of popular power."

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[32] *The Theory of Business Enterprise* (New York, 1904), p. 274.

[33] Quoted in C. Wright Mills, p. xiv.

[34] Language of Herbert Spencer in *Man versus the State* (London, 1910), p. 67.

[35] This thesis is developed in my article, "The Conservative World of Mr. Justice Sutherland," AMERICAN POLITICAL SCIENCE REVIEW, Vol. 32, pp. 443–77 (June, 1938).

For its adherents this was no narrow, self-regarding rule. To sustain individual freedom of action against government regulation and control was "not to strike down the common good but to exalt it."[36] Progress depends, they said, on the containment of various egotistic drives, individual and collective, within the nicely circumscribed balances of the competitive market. "Certain fundamental social and economic laws," George Sutherland (soon to be appointed a Supreme Court Justice) told the New York State Bar Association in 1921, "are beyond the power of human direction and control." "Are we approaching a millennium in which visible government will not be necessary," the editor of *American Industries* mused in May, 1925, "and in which the job of running the world will slip away from obstructive politicians and be taken over by men trained in the shops?" The authoritative answer came three years later when Herbert Hoover, accepting the Republican nomination for the Presidency, envisaged "poverty banished from this nation," and laid down Prosperity's political credo: "When business corrects its own abuses," that "is self-government."[37]

Firmly convinced that government interference alone stood in the way of inevitable progress, political and industrial leaders sought to arrest any and all political processes by which other industrial societies had achieved the measure of health necessary to refute the considered Marxist prediction of their doom. In 1929 their rosy forecasts were proved to be but an ideological façade behind which economic privilege fought to preserve its own freedom from regulation and control by politically responsible authority.[38] Thereafter, finding themselves overwhelmed by the ravages of their own shortsightedness, they turned as instinctively and imploringly to government as John Locke's men did in their "inconvenient" state of nature. "Washington was like a hospital," President Roosevelt recalled, "and many of the patients came from Wall Street." It was then proved that Free Enterprise, far from having an eye single to public interest, was blind even to its own interest.

There is a widespread belief that, with the advent of the New Deal, our individualist tradition underwent drastic change. Dominated by implacable laissez-faire dogma, our government had, it is supposed, scrupulously refrained from entering the economic sphere where private enterprise alone shaped our social and economic progress. Suddenly in

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[36] Words of Mr. Justice Sutherland in *Adkins v. Children's Hospital,* 261 U. S. 525 (1923), at p. 561.

[37] *New York Times,* Aug. 12, 1928.

[38] See Reinhold Niebuhr's suggestive article, "American Conservatism in The World Crisis," *Yale Review,* Vol. 40, pp. 385–99 (Spring, 1951).

1932, we turned our backs on the principles that had guided us so successfully. We then embraced a paternalistic program of government regulation and control. Selling liberty for security, the New Deal started the country down the road to the welfare state and ultimate disaster. A basic change did take place but it was not, I think, the one here suggested.

The New Deal ties in with our past rather strikingly. Laissez-faire was never an exclusive, or even the key, principle in American politics. In the heyday of rugged individualism, James Bryce observed somewhat cynically: "Americans talk laissez-faire, but do not practice it."[39] Government support of national economic policy has been our practice from the beginning. The protective tariff goes back to the first Congress. National aid to public works also goes back to the formative years. Internal improvements were fostered by congressional grants on a major scale for the construction of highways, canals, and railroads. The national government early inaugurated a public-lands policy, practically giving away its vast western acreage in anticipation of flooding settlers, and thus built up in more orderly fashion the population of new states and territories. Later on, when it became evident that individual operators were powerless to develop large-scale resources—iron, coal, petroleum, etc.—government responded by sanctioning, even encouraging wide incorporation. Government went still further and assured the corporation, through broad interpretation of the Fourteenth Amendment, that it would have legal security and advantage. The kind of society we now have, our transportation system, the distribution of our population, the nature of agriculture, the corporate form of business organization—all of this is due largely to the fostering power of government, state and federal.[40]

Harold Laski has suggested another line of inheritance: "What is remarkable in the New Deal is the degree in which it is, in fact, simply the completion of a continuous development of discontent with traditional individualism which goes back, in one sense, to Shays' Rebellion, and, in another, at least to Populism of the period after the Civil War."[41] The reform measures enacted after 1870, though often set aside or emasculated by the courts, are, as Laski says, firmly rooted in the American individualist tradition. Those who joined grangerism in the seventies and campaigned to regulate the railroads and other public utilities were not radicals bent on enacting socialism. They were not socialists "on the march," but small businessmen, farmers, day laborers, professional men, and property owners who saw their equality, their liberty, their property—free government itself—menaced by the spread of monopoly and the growth of economic power. These natural protests against privilege were ineffective because the notion of the individual as a responsible member of the community was not understood. "Among pioneers," G. Lowes Dickinson, the British essayist, observes, "the individual is everything and society is nothing. . . . He is a friend, and an enemy; he is never a citizen."[42] The greed, exploitation, corruption and waste attending the development of our resources were optimistically accepted—"good in all things"—as if ordained by divine providence. As late as 1932 even Franklin D. Roosevelt remarked: "The financiers who pushed the railroads to the Pacific were always ruthless, often wasteful, and frequently corrupt, but they did build the railroads, and we have them today."[43] G. Lowes Dickinson more shrewdly discerned this endemic anarchism in our individualism:

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[39] "One-half of the Capitalists are occupied in preaching *laissez-faire* as regards railroad control, the other half in resisting it in railroad rate matters, in order to have their goods carried more cheaply and in tariff matters, in order to protect industries threatened with foreign competition" (*The American Commonwealth* [New York, 1921], Vol. 2, p. 304). See also Reinhold Niebuhr, "Halfway to What?" *Nation*, Vol. 170, p. 27 (Jan. 14, 1950).

[40] See, in this connection, D. M. Potter, "Democracy and Abundance," *Yale Review*, Vol. 40, pp. 421–440 (Spring, 1951).

[41] *The American Democracy: A Commentary and an Interpretation* (New York, 1948), p. 69.

> Describe the average Western man and you describe the American; from east to west, from north to south, everywhere and always the same—masterful, aggressive, unscrupulous, egotistic, at once good-natured and brutal, kind if you do not cross him, ruthless if you do, greedy, ambitious, self-reliant, active for the sake of activity, intelligent and unintellectual, quick-witted and crass, contemptuous of ideas but amorous of devices, valuing nothing but success, recognising nothing but the actual, Man in the concrete, undisturbed by spiritual life, the master of methods and slave of things, and therefore the conqueror of the world, the unquestioning, the undoubting, the child with the muscles of a man, the European stripped bare, and shown for what he is, a predatory, unreflecting, naïf, precociously accomplished brute.[44]

For Old Dealers liberty, by and large, has meant primarily "the right of those who own property to control it." Even if a single individual should own "the only mine in the country of some metal important for use in mechanical arts," he must still be free to exercise sovereign power over the wages, prices, and profits involved. Principles of free government—individualism—thus meant annexation of social power with private right; these same principles proscribed any such authority in politically responsible government.[45] New Dealers deny that any freedom is possible under such conditions of economic anarchy. After 1932 the orientation of American political thought became basically collectivistic, being concerned with the welfare of all individuals in society.[46] No individual, no group can profit or suffer without affecting the interests of all. Economic rights had therefore to be added to the roster of our freedoms, and government, rather than industrial management or ownership, made the dominant power.

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[42] *Appearances* (London and Toronto, 1914), p. 153. Brooks Adams applies much the same thought to the capitalist, saying: "The capitalist seems incapable of feeling his responsibility as a member of the governing class . . . he regards the law that restrains him as a despotic invasion of his constitutional rights, because with his specialized mind, he cannot grasp the relation of a sovereign function to the nation as a whole" (*The Theory of Revolutions* [New York, 1913], pp. 203–29).

[43] Campaign Address, Commonwealth Club, San Francisco, Sept. 23, 1932, in *Public Papers and Addresses* (New York, 1938), Vol. 1, p. 742.

[44] Dickinson, p. 150.

The determinism of Marx and Spencer, and of their American forerunners, Randolph and Upshur, was now plainly disproved. By 1936, at the latest, it was clear that political power need not and must not be the creature of private economic power, however elaborately camouflaged. New Dealers saw truth in another of James Harrington's aphorisms: "The wisdom of the few may be the light of mankind, but the interest of the few is not the profit of mankind nor of commonwealth."[47] Thus the New Deal marks that most significant shift from implicit faith in the operation of so-called natural forces to the belief that social processes can and must be controlled by government in the interest of the many, no less than in the interest of the few. It is now clear that politically responsible government must insist on monopolizing coercive power as against any and all private aspirants for such power. It must do this not because there is any special virtue in established authority, or because government is or can be omniscient, but because it is the only way to prevent individuals and groups from taking law into their own hands.

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[45] "It is not understood to be now pretended," Thomas M. Cooley commented in 1878, "that any general right to fix the price of commodities or to limit the charges for services can exist as a part of any system of free government." Continuing, Cooley said: "Does . . . the mere fact that one owns the whole supply of anything, whether it be of a certain kind of property or of a certain kind of services, confer upon the state the authority to interfere and limit the price he may set upon his wares or his services? . . . Suppose in some state a single individual should own the only mine in the country of some metal important for use in mechanical arts; would it be competent for the state, on the ground that competition with him was impossible, to restrict at discretion the price he should be able to charge for it? . . . Whoever shall undertake to answer these questions in the affirmative should be expected to show how the power may be harmonized with the general principles of free government" ("Limits of State Control of Private Business," pp. 243, 267–68).

[46] For an excellent interpretation of the theoretical significance of the New Deal, see Thomas Paul Jenkin, *The Reactions of Major Groups to Positive Government in the United States, 1930–1940,* University of California Publications in Political Science, Vol. 1, (Berkeley and Los Angeles, 1945), pp. 243–408.

[47] *Oceana* (3rd ed., London, 1747), p. 48.

To achieve this political dominance, to approximate our eighteenth-century ideals in this twentieth century, has involved a major redistribution—the breakdown of the principles of federalism and of separation of powers, and a corresponding concentration of national authority in Washington and in the Executive.[48] All this might have meant the strengthening of democracy, in the sense of majority rule and equality of opportunity; but in the process it virtually eliminated certain "auxiliary" devices, on which the Founding Fathers had relied heavily, for compelling the government "to control itself."

Government is today increasingly in the multiple hands of administrative authority. A multitude of government agencies deal with technical matters and make decisions on a case-to-case basis so that drastic changes in policy may become fixed in precedent even before the expert recognizes it. Nor is this all. As the communist menace looms ever more threatening, civilian and military officials, by invoking such familiar tags as "confidential" and "top secret," can and do screen controversial operations from critical scrutiny. Also, since 1932 and especially since 1946, the essentials of free government have been endangered by the ease with which powerful private interests may influence complex administrative processes. "As the executive order replaces the Act of Congress, 'the King's Ear' becomes again a key political institution." And so it comes to pass that so-called private enterprise, having lost the battle for laissez-faire, may win the war by dominating the very machinery created for its control.[49]

"I am not in love with any particular methods," President Roosevelt had commented off-handedly on September 23, 1937, "but I am in love with particular objectives."[50] When the national objective becomes, as now, security from external danger, free institutions are put under special strain. The President's comment, made well in advance of World War II, may have overlooked Free Society's most distinctive feature. "Dependence on the people" is, as Madison said, "the primary control on government"; but democracy means more than voting and deciding by mathematical majorities. Free Government stands or falls on an attitude of mind, on the voter's opportunity to dissent and oppose. There must be willingness to test preferred conclusions, desire to hear

[48] E. S. Corwin, "Our Constitutional Revolution and How to Round it Out," *Pennsylvania Bar Association Quarterly*, Vol. 19, pp. 261-284 (April, 1948).

[49] Walton Hamilton, "The Smouldering Constitutional Crisis," *New Republic*, Vol. 108, p. 74 (Jan. 18, 1943).

[50] *New York Times*, Sept. 24, 1937.

the other side. No opposition means no democracy. The Citizen of Geneva made the point nearly two centuries ago: "If there were no different interests, the common interest would be barely felt, as it would encounter no obstacle; all would go on its own accord and politics would cease to be an art."[51]

These essential processes—debate, conflict, opposition and change—always hard to maintain, labor under special difficulty in the present national crisis. Writing in times perhaps calmer than ours, Hamilton noted that "safety from external danger is the most powerful director of national conduct," and sagaciously added that "to be more safe they [nations] at length become willing to run the risk of being less free."[52] In such crises Rousseau's query of 1762 becomes all the more arresting: "Tranquillity is found in dungeons, but is that enough to make them desirable places to live in? What do they gain, if the very tranquillity they enjoy is one of their miseries?"[53]

If there is any one thing that has been normal and natural in American politics, it is unremitting conflict—crises. Why be frightened by these concomitants of a Free Society? "The right to speak freely and to promote diversity of ideas," Justice William O. Douglas wrote in a notable majority opinion of 1948, is "one of the chief distinctions that set us apart from totalitarian regimes."[54] The very liberty a free society recognizes and guarantees makes for disorder, "induces a condition of unrest," invites criticism of things as they are, "stirs people to anger." Surely the illusion that security can be found in immobility, or that safety is dependent on the absence of change, is among the most dangerous blocks that plague the minds of men.

We would still be confronted with complexities, with issues not easily resolved, not capable of any final solution, even if every Communist were driven from our shores. Though Russia were defeated and her dictatorial government cast down, there still would be an infinity of discord among ourselves. This is not to underestimate the external danger, but rather to point out the greater peril—that in trying to combat that danger we may forfeit the values we cherish, and destroy the methods that have made this nation a human force of incalculable strength. A peril greater even than Communism is lest, in our present anxiety, we may resort to the self-defeating techniques we profess to hate and distrust—intolerance, secretiveness, vigilantism, and terror. By resorting to such methods, we offer our enemies and the world at large "proof," as Jefferson said, of "the imbecility of Republican government, in times of pressing danger, to shield us from harm."[55]

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[51] J. J. Rousseau, *The Social Contract and Discourses* (New York, 1947), Bk. 2, Ch. 3, p. 25.

[52] *Federalist*, No. 7, p. 42.

[53] Rousseau, Bk. 1, Ch. 4, p. 9.

[54] Majority Opinion in *Terminiello v. Chicago*, 337 U. S. 1 (1948), at p. 4.

To be afraid of ideas, any ideas, someone has observed, is to be unfit for self-government. Such fear strikes at the heart and soul of American individualism, indicating loss of faith in ourselves and in the unconquerable strength of our ideals.[56] In our frantic drive for the security that no Free Society can ever enjoy, we risk establishing in Free America the slavery we have combatted throughout our history. "The slack is taken up, the cross currents fade out, and the nation moves," as Randolph Bourne said in 1918, "towards that 'peacefulness of being at war.' "[57]

Security on such terms comes too high, being purchased at the expense of our most precious capital resource—human beings—as well as at great loss of social power:. "The worth of the state," John Stuart Mill wrote in his classic essay, *On Liberty*, "in the long run, is the worth of the individuals composing it; and the state which postpones . . . *their* mental expansion and elevation to a little more administrative skill; . . . the state which dwarfs its men, in order that they may be more docile instruments in its hands even for beneficial purposes—will find that with small men no great thing can really be accomplished."[58]

Human worth, not the illusion of security and freedom from change, remains the heart and soul of our individualism. The basic test of any institution is still whether it values man as man and not as a machine. Despite the frustrating effects of industrialism, the factory system and mass production hold immeasurable potentialities for individual growth. From an era of relative scarcity in consumption goods we have passed to this age of abundance. Our industrial riches give man a better chance than ever before to develop his individuality. Yet we now recognize, as formerly we did not, that man can be, and is, dwarfed not by government alone but also by other forces, chiefly economic. For social advantage government now restrains those forces and implements the strength of lesser groups, thus making them more self-supporting, more independent, more free. We have, as a result, not only a society of richer opportunity but also a society of more equal opportunities.

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[55] "Notes on Virginia," *The Writings of Jefferson*, Vol. 8, p. 370.

[56] "If civilization has got the better of barbarism when barbarism had the world to itself, it is too much to profess to be afraid lest barbarism, after having been fairly got under, should revive and conquer civilization. A civilization that can thus succumb to its vanquished enemy, must first have become so degenerate, that neither its appointed priests and teachers, nor anybody else, has the capacity, or will take the trouble, to stand up for it. If this be so, the sooner such a civilization receives notice to quit the better" (J. S. Mill, *Utilitarianism, Liberty and Representative Government* [Everyman ed.], p. 149).

[57] *Untimely Papers* (New York, 1918), p. 142. See also William O. Douglas, "The Black Silence of Fear," *New York Times Magazine*, Jan. 13, 1952.

[58] *Op. cit.*, p. 170. DeTocqueville made the same appraisal: "Democracy does not give the people the most skilful government, but it produces what the ablest governments are frequently unable to locate; namely, an all-pervading and restless activity, a superabundant force, and an energy which is inseparable from it, and which may, however infavorable circumstances may be, produce wonders" (Vol. 1, p. 321).

Modern man still faces the necessity of achieving greater control over his complex environment, especially control over the economic and political institutions of his own making. Society still has to be protected from individual exploitation. The individual has to be safeguarded against excessive collectivist demands. The problem now, as always, is to combine individual freedom with social justice, to fuse that degree of initiative necessary for progress with the social cohesion necessary for survival. Lincoln, in commenting on the immortal Declaration, made clear the goal that ever eludes our grasp: Its framers "meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated."[59] Democracy being "a method of finding proximate solutions for insoluble problems," the adjustment between liberty and authority can never be perfectly and finally attained.[60] In that unending process the men of 1776 raised "a standard to which the wise and honest may repair." They set a "stumbling block to all those who in after times might seek to turn a free people into the hateful paths of despotism."[61]

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[59] Speech in Springfield, Ill., on June 26, 1857, in John H. Nicolay and John Hay (eds.), *Abraham Lincoln: Complete Works* (New York, 1920), Vol. 2, p. 331.

[60] Reinhold Niebuhr, *The Children of Light and the Children of Darkness* (New York, 1944), p. 118. Edmund Burke emphasized the complex, endless nature of the venture on which we are embarked: "To make a government requires no great prudence. Settle the seat of power and the work is done. To give freedom is still more easy. It is not necessary to guide; it only requires to let go the rein. But to form a *free government;* that is, to temper together these opposite elements of liberty and restraint in one consistent whole, requires much thought; deep reflection; a sagacious, powerful and combining mind" (*Reflections on the French Revolution* [New York, 1895], p. 121).

[61] *Abraham Lincoln,* Vol. 2, p. 331.

THE FRENCH PEASANT AND COMMUNISM*

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> "Le paysan suit toujours, dit Vologuine.
> Ou l'ouvrier ou le bourgeois. Mais il suit."
> —André Malraux, *La Condition Humaine*

I

The French Communist Party emerged from the national elections of 1951 with a greater number of popular votes than any of its competitors. Since the preceding elections of November, 1946, it is true, the party has lost close to 500,000 voters, and its proportion of the total number of registered voters has declined from 21.6 to 20.1 per cent. Yet the Communist Party (CP) remains not only numerically, but also by virtue of its geographical distribution, the most important of the French parties. In none of the election districts did less than 5 per cent of the voters cast their ballot for the communist lists, while all other parties parade a considerable number of blank spots on the electoral map of France. In twenty-seven districts the CP can boast of a support larger than one-fourth of the total electorate, while the next strongest party, de Gaulle's RPF, is similarly represented in only eleven districts.

A comparison of the present communist vote with that of 1946 shows that five years which affected deeply the political constellation of Europe and the world have not changed significantly the distribution of communist sympathies among the French electorate.[1] The greatest concentration of votes for the CP is still to be found in the region situated between Paris and the Belgian border, reaching in the East to the *départements* of Ardennes, Marne, and Aube, in the West to those of Somme and Seine-Inférieure. In that region, as well as the Bouches-du-Rhône (Marseilles), the communist vote, in several electoral districts stronger than in 1946, reflects the continuing strength of the CP among industrial workers and their families. For the present study, concerned as it is with analyzing communist successes among the rural population, the two other areas of heavy communist voting are of special interest.

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* This article is the enlarged version of a paper presented by the author at the annual meeting of the American Political Science Association in San Francisco in 1951, as a part of the Symposium on Social Stratification and Politics. The author has greatly profited from the talks which he was privileged to have with his colleagues at the Seminar on Modern France, organized under the chairmanship of Professor Edward M. Earle and under the auspices of the Institute for Advanced Study at Princeton, during the autumn of 1950.

[1] See the studies by François Goguel: "Géographie des élections du 17 juin 1951," *Esprit*, Vol. 19, pp. 343–364 (Sept., 1951); "Géographie du Référendum du 13 octobre et des élections du 10 novembre 1946," *ibid.*, Vol. 15, pp. 237–264 (Feb., 1947); and "Esquisse d'un Bilan de la Sociologie Electoral Française," *Revue Française de Science Politique*, Vol. 1, pp. 277–297 (July–Sept., 1951). Excellent, also, is Jacques Fauvet, *Les Partis Politiques dans la France Actuelle* (Paris, 1947), pp. 71–92. For an interesting critical approach to presentations of "electoral geography," see Georges Dupeux, "Pour une Représentation Nouvelle des Résultats Electoraux," *Revue Française de Science Politique*, Vol. 1, pp. 107–109 (Jan.–June, 1951).

One of the strongholds is anchored onto the Central Plateau (*Massif Central*), extending both in a northerly and southwesterly direction. It reaches from the Nivernais to south of the Guyenne, including the Berry, the Bourbonnais, the Limousin, and the Perigord. Throughout this region the CP is by far the strongest of all parties. The percentage of communist votes amounts in some of the *départements* to between 30 and 35 per cent of the registered voters and falls nowhere below the 20 per cent mark. In eight departmental constituencies, all of them predominantly agricultural,[2] the CP holds or increases its vote of 1946. In the *départements* of Tarn-et-Garonne, Creuse, and Garonne, the gains are very substantial: 15, 11, and 9 per cent respectively over the 1946 vote, while the nationwide loss of popular votes for the CP between 1946 and 1951 reaches almost 10 per cent.

The economic structure of this region will be discussed below. A comparison of the present political make-up of the area with that prevailing a century ago is very suggestive of the basic stability of French party alignments. Because of the always-heralded ministerial instability, it is all too often forgotten how tenaciously the electorate of entire French regions clings to political traditions. Almost all the constituencies of the Center and the Southwest which are now casting a heavy ballot for the CP went *montagnard* in the elections of May, 1849, creating the first legislative assembly of the Second Republic.[3] Forty to 50 per cent, and sometimes more, of the voters from an entirely rural area then favored deputies who were pledged to defend the subordination of the executive to the legislature, the suppression of the presidency, the abandonment of excise taxes, the nationalization of railroads, mines and waterways, and the guarantee of the right to work. In this region the communists of the Fourth Republic seem to have fallen heir to radical traditions which had manifested themselves a hundred years earlier.

Another concentration of communist voting strength clusters around the Mediterranean littoral, including the Provence and the Languedoc and extending northward to the *départements* of Lozère, Ardèche, and Drôme. In most of these electoral districts, the communists obtained between 25 and 30 per cent of the registered vote. With the one exception of the Alpes-Maritimes (which cannot be classified as a rural *département*), the CP lost hardly any of the support it had mustered in 1946; in a number of constituencies the communists gained votes, though not as many as in the region radiating from the Central Plateau. A comparison with the electoral map of 1848 shows that except for the *départements* of Gard and Lozère, also in Southern France, the very same areas which now vote in favor of the CP leaned then overwhelmingly towards the radical *Montagnards.* It is another common characteristic of both the central and the southern regions here considered that the CP had already made considerable inroads into various constituencies during the last years of the Third Republic, notably in the popular front elections of 1936.

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[2] For the purposes of this study, those *départements* will be considered as predominantly agricultural in which the ratio between people living on farms and total population is substantially higher than the national average. In the eight *départements* referred to in the text, the proportion of rural to total population averages 46 per cent, while the national average is but 25 per cent. See Ministère des Finances et des Affaires Economiques, Direction de la Statistique Générale, *Recensement Général de la Population Effectué le 10 Mars 1946. Etat Civil et Activité Professionnelle de la Population Présente* (Paris, 1949), cited hereafter as *Census 1946*, Vol. 1, pp. lviii–lil.

[3] For details and a suggestive map, see Ernest Labrousse, "Géographie du Socialisme," *La Revue Socialiste*, Nlle. Série, No. 2, pp. 137–148 (June, 1946), and G. Génique, *L'Election de l'Assemblée législative en 1849. Essai d'une repartition géographique des partis politiques en France* (Paris, 1921).

If we turn to the debit side of the communist ledger, it is quite true that the twenty *départements* in which the CP lost in the recent elections more than 18 per cent of its 1946 vote are, on the whole, predominantly rural. The only exceptions are working class districts of the Parisian region, where apparently a substantial number of communist voters have gone over to de Gaulle's movement. The majority of the rural districts in which the "red flood" has clearly receded are situated either in the northwest of the country or in the east, close to the Swiss border. Save for two *départements* where special conditions had existed in 1946 (Haute-Savoie and Côtes-du-Nord[4]), heavy losses in 1951 have occurred only where the communist vote, even at the height of CP influence, was far lower than the national average of ballots cast for the party. These very same regions had voted for the conservative "party of order" in the decisive election of the Second Republic.[5] During the days of the Third, the communists never had any following there, and the socialist vote had also trailed.

Finally, a more detailed analysis of the elections of 1951 than can be given here would reveal that in the industrial regions of Northern France where, due to the continuing faith of the industrial workers in the CP, the communist vote remained strong for entire *départements*, the farming areas within the various *départements* showed a dwindling of communist strength.

Hence it is possible to conclude not only that the CP owes part of its continuous prominence to electoral support coming from predominantly agricultural sections of the country, but also that this peasant support for the communists is restricted to certain regions of rural France.[6] It remains to be determined what the conditions are which make the communist appeal to the farming population particularly successful. The comparison of the present with earlier elections suggests that, besides economic and social factors, deeply engrained traditions of the French peasantry in various parts of the country must be considered.

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[4] For an interesting politico-sociological study of the situation prevailing in the Côtes-du-Nord, see Alain de Vulpian, "Physionomie Agraire et Orientation Politique dans le Département des Côtes-du-Nord 1928–1946," *Revue Française de Science Politique,* Vol. 1, pp. 110–132 (Jan.–June, 1951).

[5] The political outlook of the peasants in these regions had been the reason for Karl Marx's famous denunciation of the French peasants as the main supporters of Napoleon III. See his *The Eighteenth Brumaire of Louis Bonaparte* (New York, n.d.), pp. 108–110. The classical and still largely valid description of the economic and political stratification of the rural West in the Third Republic remains André Siegfried, *Tableau politique de la France de l'ouest sous la Troisième République* (Paris, 1913).

[6] The author does not believe that the results of the run-off elections for cantonal councils, held in the fall of 1951, justify a revision of the analysis given in the text. For a variety of reasons, among them the desire to *voter utile* (cast a useful ballot), cantonal elections hardly ever give a correct picture of the country's political physiognomy.

II

To assert that France is the classical country of small agricultural producers and property owners is indulging in a half-truth, just as it is a tenacious historical legend that the French Revolution resulted in the widespread distribution of land to the propertyless rural proletariat.[7] While small holdings are numerous indeed, the apportionment of arable land is far from being "egalitarian."

Although since the turn of the century the number of dwarf farms has been more than halved, there still existed in 1929 over a million peasant holdings of less than one hectare (about 2½ acres) in size. Altogether almost three million farms, or three-quarters of the total number of holdings, are smaller than 25 acres. But this substantial majority of agricultural producers cultivates less than one-fourth of the country's farm land. On the top of the pyramid, the number of large holdings (as French statistics commonly designate those of more than 250 acres) is small in number: slightly over 30,000 operators, or one per cent of the total number, own an aggregate acreage estimated as amounting to between one-sixth and one-fourth of the total farm land.[8]

Under French conditions it is considered to be more significant to compare the distribution of land between small holdings on the one, and medium-sized and large farms on the other side. If one draws the line, however arbitrarily, at 25 hectares, one will find that one-tenth of the farmers own approximately as much land as the remaining nine-tenths. Hence, and communist propaganda constantly hammers away at these persuasive figures,[9] "among one hundred French agricultural producers, ten own half of the farm land, while ninety have to share the other half among them."

Such data can be supplemented by indications concerning the number of non-property owners among the rural population. According to the latest census, there are slightly over 600,000 tenant farmers and 220,000 share-croppers (*métayers*), who cultivate together about 40 per cent of the tillable soil, and more than 1.2 million wage earners.[10] Altogether 35 per cent of the French working population are still employed in agriculture.

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[7] G. Lefebvre, "La place de la Révolution dans l'histoire agraire de la France," *Annales d'Histoire Economique et Sociale,* Vol. 1, pp. 506–523 (Oct. 15, 1929).

[8] For these and many of the following figures, consult Etienne Weill-Raynal, "La Répartition des Terres en France; Légende et Réalité," *Études et Conjonctures, Union Française,* Vol. 3, pp. 61–76 (Sept.–Dec., 1948); also Marie Granet, "La répartition des terres en France; Légende et Réalité," *Revue Socialiste,* Nlle. Série No. 34, pp. 38–43 (Jan.–Feb., 1950). All French agricultural statistics, even those concerning land distribution, not to mention farm production or prices, are highly controversial. See, e.g., the rather substantial difference between the data provided by Weill-Raynal and those given by Albert Demangeon, *Géographie Economique et Humaine de la France,* Vol. 1 (Paris, 1946), esp. pp. 142–65.

[9] As an example, see Waldeck Rochet in his preface to *Le Parti Communiste et la Question Paysanne* (Paris, n.d., 1949), pp. 6–9. Ironically enough, these data and their somewhat demagogic presentation were taken over by the communists in every detail from the writings of a violently anti-communist socialist, E. Weill-Raynal; see above, n.8.

Now, the figures given here for the distribution of land and agricultural ownership are not truly indicative of the economic and social stratification of the rural population in France. While they show that there is less homogeneity among the peasants than is commonly supposed,[11] neither the size of property nor its legal status alone is sufficient indication of prosperity or of semi-proletarian status. There are in certain regions of France small specialized farms on which production far from justifies their classification with the marginal holdings of similar size elsewhere. Differences in crops and produce, as well as in soil and climate, must be taken into consideration. A rather substantial number of tenant farmers are fairly well-to-do. The decrease in the number of small farms over the last decades is in some areas due to a true concentration of property in fewer hands (as for instance since the First World War in the Aisne *département*), but in many others such decline results from the abandonment of once-tilled land; this exodus is again attributable to a wide variety of causes.

Yet whatever the statistics might reveal or hide, the use that has been made of them by radical (and that is today almost entirely communist) propaganda has been strong enough to create a myth in the sense of motivating political and social identification, if not action. The more complicated stratification which exists in reality might coincide in some instances with the conveniently simplified data; in others it might completely diverge. It remains that the figures are designed to appeal to most of the dissatisfied groups in French agriculture and are suggestive of a way of "salvation," irrespective of the real causes of dissatisfaction and of the actual possibilities for improvement.

The truly significant separation line that divides the rural producers of the country into two numerically uneven groups runs between the operators of either large-scale or specialized farms, managed on a modern capitalistic basis, and the operators of backward farms, who with obsolete methods produce but little for the market and very often live barely above the subsistence level.[12] These peasant holdings were described, a century ago, by Marx as the most primitive and irrational form of exploitation.[13]

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[10] See *Census 1946*, Vol. 1, pp. li–liv. Actually the census figures would indicate more than 3.3 million wage earners employed in French agriculture, and that at a time when, because of the month in which the census was taken, the number of seasonal workers was abnormally low. But the census distributes the number of working members of the family somewhat arbitrarily among the different categories of the active rural population. The number of agricultural workers given in the text is adapted from a conservative estimate in the interesting article by Claude Chaballier, "La Société française est-elle menacée de sclérose?" *La Revue Socialiste*, Nlle. Serie, No. 48, pp. 93–103 (June, 1951).

[11] See Gordon Wright, "Communists and Peasantry in France," in Edward M. Earle (ed.), *Modern France* (Princeton, 1951), pp. 220–221. Throughout this paper the author has drawn heavily on the historical record of CP activities among the peasantry that is presented in Wright's remarkable study.

More data than are presently available would be needed to determine with accuracy how to divide the rural population between the two groups. Gross production figures for the main agricultural staple goods are not sufficiently indicative, although they can be considered revealing in some respects.[14] Greater importance can be attributed to the scanty information about overall productivity and per-man output. Not only is the mean productivity of agricultural work (as measured in the number of persons fed by one rural producer) about one-fourth that of the United States, and grain production per hectare two-thirds that of Great Britain, but there are also significant differences in productivity in various parts of France. In 1949 the median grain harvest per hectare in the regions of Paris, Lille, and Rouen was almost three times higher than in the regions of Toulouse, Montpellier, and Limoges.[15] A comparison of the ratio between farm labor and independent producers in each of the *départements* is also of interest, provided that the figures are used with the obviously necessary caution.[16]

The overall picture which emerges from such comparisons permits the conclusion that, to a large extent, prosperous and marginal systems of farming are concentrated in different regions, and hence are unevenly distributed over the entire country. Ever since the early days of the Third Republic, and probably even since the Second Empire, the farms in the same eighteen *départements*, most of them situated in or around the Ile-de-France and in the North, have had a record of high productivity and have kept pace with the progress of modernization and mechanization. The northwestern and western parts of the country can be considered as standing somewhere in the middle between the two extremes. While large farms are characteristic of the Mediterranean littoral and the Languedoc, productivity has always lagged there. It is significant that most of the recent projects of regional development are designed to benefit the agricultural production of that area. The heaviest concentration of what might well be called precapitalist farming is to be found throughout the region described above as the focus of greatest communist strength in rural France.[17] That the distribution of wealth is not necessarily a function of the juridical status is illustrated by the fact that in this region the property owners outrank by far both the sharecroppers and the tenant farmers, who are numerous in the more prosperous Northwest.[18]

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[12] Excellent on this point is Gordon Wright, "The French Peasantry, 1918–1939," an unpublished paper prepared in connection with the Seminar on Modern France. Note also data along these lines in Etienne Weill-Raynal, "Les classes sociales et les partis politiques en France," *La Revue Socialiste*, Nlle. Serie, No. 42, pp. 545–546 (Dec., 1950).

[13] In *Capital* (trans. from 3rd German ed., London, 1906), Vol. 1, p. 513, and similarly in *The Eighteenth Brumaire* (cited above, n.5), pp. 112–113.

[14] Consult, e.g., the series of maps presented in Demangeon, *op. cit.* (above, n.8), pp. 209–214. They show, among other facts, that the industrial regions of the North contribute far more to agricultural production than is commonly supposed. According to Colin Clark, *The Conditions of Economic Progress* (London, 1951), p. 238, the most satisfactory single measure of efficiency in agriculture is the net income produced per man-year of labor. We do not know of any reliable French data giving such evaluation.

[15] See Pierre Uri, "Les Problèmes économiques et financiers," in *Encyclopédie Politique de la France et du monde*, Vol. 2 (Paris, n.d., 1949), pp. 262–4, with interesting remarks concerning the consequences of this disparity for the rural economy as a whole. Careful, though somewhat inconclusive, studies about the productivity of French agriculture in comparison with that of other countries are contained in Michel Cépède, "L'agriculture dans l'économie française et européenne," *Collection Droit Social*, Vol. 37, pp. 1–4 (Nov., 1950), and T. Ratineau, "Les Conditions techniques de la production agricole française," *ibid.*, pp. 4–10.

[16] See *Census 1946*, Vol. 1, pp. lvi-lvii, 122–159.

The remarkable stability in economic status which over many a decade has prevailed in France to the advantage of some rural areas and to the detriment of others,[19] can largely be attributed to great inequalities in the distribution of credit. Neither legislative action nor other efforts have succeeded in changing the regional pattern of rural credit. To cite but one example: the same eighteen *départements* which seventy years earlier were already characterized by a capitalistically organized agriculture, received in 1947 fifty per cent of the medium and long-term loans disbursed by the *Caisse Nationale de Crédit Agricole,* although the number of holdings in these *départements* amounts to less than 15 per cent of the total.[20] The dearth of credit for all but the prosperous farms has in entire regions led not only to a stagnation of production methods, and to the often discussed dilapidation of rural dwellings, but also to a sclerosis of the mind which manifests itself in the almost complete absence of any kind of professional schools and technical instruction.[21]

The conditions of French agricultural production thus place the country somewhere between the widely differing pattern prevailing in the fully developed capitalistic countries of Northwest and Central Europe and that in the peasant economies of Mediterranean and Eastern Europe. Between the World Wars it was a hotly debated issue whether such a combination of different types of agriculture ought to be preserved as a factor of "social stability" or whether, in the interest of lower food costs and increased exports, a drastic conversion to new methods should take place in the regions of backward production.[22] Some, in a "neo-malthusian" mood, advocated that by one or the other method the number of small and inefficient farming units should be sharply reduced. The French peasants themselves took hardly any interest in such discussions; and although the protective legislation of the thirties abated the worst of peasant discontent, no significant changes in the status of the various categories of agricultural producers took place before 1939. Developments since then have on the whole only accentuated the long-established trends and differences.

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[17] A striking analogy to this economic and political stratification is provided by the description given in Rudolf Heberle, *From Democracy to Nazism: A Regional Case Study on Political Parties in Germany* (Baton Rouge, 1945), of the progress of nazism in Schleswig-Holstein; note esp. pp. 37–41, where the regions of strongest nazi influence are identified with those of the *Geest* farmer, "in mentality and in habits still more of a real peasant," having "caught less of the spirit of capitalistic enterprise than the marsh farmer."

[18] See the maps in Demangeon, pp. 148–154.

[19] The searching analysis by P. L., "Der kleine Grundbesitz in Frankreich," *Neue Zeit,* Vol. 1, pp. 345–360 (1883) has, except for minor details, still full validity today.

[20] For the use made by the communists of those figures, see Jean Flavien, "La dégradation de l'agriculture française et l'action du Parti à la campagne," *Cahiers du Communisme,* Vol. 28, p. 647 (June, 1951).

[21] These questions are poignantly discussed in the writings of the French regional economists; note especially Jean-François Gravier, *Paris et le Désert Français* (Paris, 1947), and the same author's "La clé du problème agricole: enseignement et vulgarisation," *Collection Droit Social*, Vol. 37, pp. 19–23 (Nov., 1950).

War, occupation, and their aftermath improved considerably the overall situation of the French peasantry. This improvement has, of course, been a general European phenomenon; however, the available national income statistics do not permit one to establish whether agricultural earnings in France actually increased proportionally as much as they did in other countries. At any rate, the years of scarcity and black market profiteering brought a certain degree of opulence even to those farmers who previously had eked out only a marginal existence. That the newly-won affluence was mainly monetary did not impair its psychological effect.[23] Indeed, the fact that the scarcity of machinery, chemicals, and building materials made it impossible for most farmers to reinvest their money earnings in improvements rendered the previously resented "scissors" between prices for farm products and manufactured goods less painful. Moreover, the postwar price development tended to close the scissors.[24]

This situation was reversed in the autumn of 1948, when agricultural prices began to fall; during the succeeding waves of new inflationary rises, they never regained their previous relative position in the total price structure but instead lost further ground.[25] The unreliability of all statistical data has made it impossible even for the *Conseil Economique* to reach any conclusions concerning the actual disparity between agricultural and industrial prices. However, some of the Council's findings suggest that, when expressed in prices of goods needed on the farms, important agricultural products such as wheat have lost nearly half of their prewar value.[26]

Whatever the actual situation might be, statistics, used by an insistent political propaganda, are here again capable of provoking forceful reactions. The very unreliability of official estimates makes it possible to accredit even exaggerated descriptions of the peasants' predicament. The fact that a large group among the poorest peasants does not produce for the market and should therefore be concerned but little over price scissors, does not necessarily make the propagandistic argument any less persuasive, so long as many of the peasants are actually as badly, if not worse, off than before the war.

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[22] This is described by Gordon Wright in "The French Peasantry, 1918–1939."

[23] For a good description of the political and psychological impact, consult Jean Foresta, "L'incivisme paysan et les parasites," *Esprit*, Vol. 17, pp. 53–7 (Jan., 1949).

[24] In 1947 the wholesale price index for farm products stood at 1159 (1938 = 100), while the general wholesale price index was 989 and that of raw materials only 836. See Statistical Office of the United Nations, *Monthly Bulletin of Statistics*, Vol. 5, pp. 174, 180 (Aug., 1951).

[25] In May, 1951, the general price index had risen to 3859, but that of farm products lagged at 2063 (*idem*). These figures are, however, of dubious value, as explained below.

[26] "Avis et Rapports du Conseil Economique," *Journal Officiel*, March 8, 1951, pp. 106–114. This entire report, however interesting, gives a weird picture of the utter confusion pertaining to French economic and social statistics.

Careful observers have concluded that the share of agricultural income in the total national income has declined between 1947 and 1949 from 20 to 15 per cent.[27] This drop is not astonishing when one considers that the index of industrial production compared with 1938 has increased over 40 per cent, while that of agricultural production barely exceeds the prewar figures. Only 5 per cent of public investments were earmarked in the 1950 budget for the needs of agriculture. With the outbreak of the Korean war, those estimates have again been revised downwards. For the time being at least, the "malthusian" approach to the problems of French agriculture seems to have prevailed. For the farmers themselves, the short-lived prosperity which they had experienced has made their renewed plight only harder to endure.

It is against such a background that the appeal of communism to the French peasantry must be understood.

III

When recent communist propaganda among the peasants is compared with that of the first years after the liberation, a definite return to a dogmatic, "leninist-stalinist" line is noticeable, both in regard to terminology and announced goals. In 1945 and 1946 the party leader, Maurice Thorez, attributed the rural successes of the CP to the recognition of the party's "courageous fight for democracy, for peace, and for France." During the election campaigns the notion of private property was upheld; leaving it to the socialists to demand "cheap bread," the communists promised the peasants higher prices and freedom of control.[28]

With the elimination of the communists from the French cabinet, the cold war, and, perhaps most important, the "ideological offensive" which has been waged in all sectors of the international communist movement, much of the earlier vagueness and opportunism have made room for a forthright acknowledgement of class antagonism and of the need for energetic, if not revolutionary, action.[29] Once more the red flag claims prominence over the tricolor, and the

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[27] See, also for the following, Jules Milhau, "L'évolution des charges et du revenu de l'agriculture française," *Droit Social*, Vol. 14, pp. 437–445 (July–Aug., 1951). Further light on the agricultural investment problem is shed in a report by the national employers organization, "Les investissements en 1951," *Bulletin du Conseil National du Patronat Français*, Vol. 5, pp. 2–7 (Sept. 5, 1951).

[28] See Vera M. Dean, "U. S. Policy in Europe," *Foreign Policy Reports*, Vol. 21, pp. 284–285 (Jan. 15, 1946); Maurice Thorez, *Une Politique Agricole Française* (Paris, 1848), p. 4; Waldeck Rochet, *Pour la Restauration de l'Agriculture Française* (Paris, n.d., [1945]) and *La Défense de l'Agriculture Française* (Paris, n.d., [1946]); and, with interesting examples, David Mitrany, *Marx against the Peasants* (Chapel Hill, 1952), p. 180.

[29] For details concerning the repercussions of the ideological offensive in the French

Internationale drowns the Marseillaise—though not completely. In the light of such change, the continuing electoral strength of the CP in many rural districts must be viewed as the proof that, when the peasants voted for the communist lists after the liberation, they had not simply been tricked by the party's mildly reformist and nationalistic propaganda. Had this been the case, the electoral campaign which the CP waged in 1951 should have lost to the party the sympathies of the rural population.

As an external sign of the return to a dogmatic marxist propaganda, one might note the fact that in 1949 the CP republished and distributed in great quantities its agrarian program of 1921. The Congress of Marseilles which adopted that program has always been regarded as the climax of revolutionary fervor in France and in the International.[30] The program is now reproduced without any alteration; in addition, the test is adorned with excerpts from writings of Lenin, Stalin, and Friedrich Engels commenting on the agrarian question in France and in the Soviet Union. Lenin's specific endorsement of the 1921 program is presented with particular pride by today's party leaders.[31]

Stalin's admonition, which in 1928 was made part of the Comintern Statutes, to "transform the peasantry from the reserve of the bourgeoisie into a reserve and ally of the working class" occupies considerable space in the written propaganda of the CP. It is repeated in the characteristic sing-song fashion from the platform of innumerable meetings in rural districts. The adaptation of this formula to present-day conditions and its interweaving with familiar historical memories are accomplished in a manner increasingly flexible and free from the clumsiness of the party's rural propaganda of prewar days.[32]

A glorification of both the great French Revolution and the Russian October Revolution, and a comparison of such successes with the failure of the working class uprisings of 1848 and 1871, permit the CP to explain, not without some manipulation of the historical record, victory or frustration as a direct function of alliance or disunity of urban workers and peasantry. There is in the communist propaganda an all-pervasive emotional appeal to French workers and peasants alike, who are addressed as the heroic and eternally defeated "radicals" of the 19th and 20th century. The disappointment following more

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CP, see Mario Einaudi, "Western European Communism: A Profile," AMERICAN POLITICAL SCIENCE REVIEW, Vol. 45, pp. 185–186 (March, 1951).

[30] See *Le Parti Communiste* (cited above, n.9.). For the significance of the Marseilles Congress of 1921 and of its agrarian program, see Gérard Walter, *Histoire du Parti Communiste Français* (Paris, 1948), pp. 65–75.

[31] Significantly enough, there is one marxist text which has been entirely dropped, namely the passage from Marx's *The Eighteenth Brumaire*, p. 109, which describes the small French peasantry as a "non-class." In the thirties this text still appeared prominently in the writings of French communists; see, e.g., Maurice Thorez, *France Today and the People's Front* (London, 1936), pp. 19–20.

[32] For a detailed analysis of such increasing flexibility in communist propaganda, see Angelo Rossi, *A Communist Party in Action: An Account of the Organization and Operations in France* (New Haven, 1949), esp. pp. 36–42. For a more recent, equally excellent evaluation, see Jean-Marie Domenach, "The French Communist Party," in Mario Einaudi *et al.*, *Communism in Western Europe* (Ithaca, 1951), pp. 60–151.

recent upswings of popular hopes for economic and social reforms, such as the periods of the Popular Front and the resistance movement, are presented as proof that the ruthlessness of the "bourgeoisie" and of the "rich" will never permit any true and lasting progress. The obvious conclusion is that, without the elimination of their powerful opponents, neither workers nor peasants can hope to reverse the drift towards repeated and humiliating defeat.[33]

The attractiveness of the October Revolution and of the Soviet State as symbols of victory is obviously, in many quarters, outweighing the evidence presented by anti-communist propaganda that such victories have not ended in the emancipation of either working class or peasantry. The constant concern of the CP to interlace the revolutionary concepts of 1789 and of 1917 makes it possible to present the party as the heir of national traditions cherished by the French peasantry of many regions, and to give to its program the legitimacy of success achieved elsewhere.

Here the statistics about land distribution serve to translate the bolshevist claim of "land for the peasants" into such formulae as *Il y a de la terre à distribuer* ("There is land to distribute") and *La terre à ceux qui la travaillent* ("The land belongs to those who cultivate it"). These slogans form the very backbone of present-day communist written and oral propaganda among the rural population. Inasmuch as they sound like adaptations of similar demands contained in the Manifesto of the Paris Commune in 1871, the CP accredits itself once more as the guardian of the revolutionary legacy of France. This tactic, the CP leadership might hope, will in turn exonerate the party from the suspicion of being a "foreign growth" on the French body politic.

It is difficult to ascertain to what extent there is actually anything like a "hunger for land" among the majority of French peasants. In the light of what has been said earlier, it is also doubtful whether a new distribution of land alone would solve, or even affect, the basic problems of French agriculture. However, by deflecting peasant discontent, irrespective of its true causes, towards claims for more land (or for property title to the land tilled by tenants and sharecroppers), the CP simply expects to obtain the desired revolutionary leverage. By the same token the party expects once more to confound its foes, who are constantly warning the peasantry that under a communist system they will lose their land altogether.

Not communism, but capitalism is squeezing the small producer out of existence, the CP claims, with the aid of statistics showing the decrease in the number of small farms in France over the last decades. At the same time, the land reforms in Eastern Europe are praised as the contrasting picture.

Ever since the propaganda has taken its new turn to a more dogmatic line, the CP engages in a frank discussion of what the peasant can expect after France has joined the happy family of the people's democracies. It cannot be determined whether the raising of such issues, all but forgotten during the immediate post-liberation years, has been made mandatory by Moscow as a direct reflex of the controversies which have plagued the communist parties of the Soviet orbit. The mere fact that in France anti-communist propaganda is constantly appealing to the "individualism" of the farmers by describing the consequences of rural collectivization in Soviet Russia, has left for the CP no choice but to accept the challenge.

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[33] The importance and the success of such appeals to the working class is interestingly commented upon in "Conscience Prolétarienne," *Esprit,* Vol. 19, pp. 153–6 (July-Aug., 1951). Especially of late the propaganda in the countryside contains similar arguments.

Here again the communist propaganda excels in launching a mixture of seemingly rational and emotional appeals. Faced with the heated public debate about the agricultural policy of the Soviet Union, the CP has largely abandoned arguments which could safely be employed only when addressed to the isolated members of an underground resistance movement. Then it had been maintained that, under Article 9 of the Stalin Constitution, small rural holdings were not only tolerated but fully encouraged.[34] Now it is promised that the peasant, under a regime resembling a French NEP, will have the free choice between individually cultivating his previously owned or newly acquired acreage and joining a collective farm. By translating the Russian "*kolkhoz*" as "*association*," the communists easily evoke traditions which have long formed a genuine strand of French (Proudhonian) socialism.

Frequent quotations from Lenin, some thirty-years-old, are introduced as the proof that the small farmers would never be compelled to join the *association*. Yet at the same time the conviction is expressed that, once the old enemies of the peasant class are eliminated and the new regime is in power, the French farmer will become a *homme nouveau*; that he will shed, as it were, after his rebirth, his stubborn individualism and gladly make his "free choice" for the collective farm.[35] Such distinctions permit the communists for the present frankly to encourage the most egotistic traits of the French farmers, once cursed by marxist writers as "filthy habits,"[36] and for the future to count on their collective discipline. It is equally possible to pay only passing attention to the existing rural cooperatives in France, which are enjoying only a mediocre popularity among the peasants, and at the same time to extol the rural cooperatives in Eastern Europe.

It has been the main emphasis of the anti-communist campaign to point to the inconsistencies of this kind of propaganda and to explode the fallacies of communist promises of land distribution. The election results in the poorest regions of rural France seem to prove that arguments based on logic and reason are not likely to dispel the appeal to deep-seated resentments nor to offset the effect of a skillful utilization of economic dissatisfaction. It might indeed be doubtful whether even those who in the countryside vote for the communist candidates consider seriously the prospect of a communist regime in France.[37] Most likely the voters are swayed rather by the sympathy the CP is showing for their present plight than by fears or hopes evoked by the picture of a distant future.

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[34] See Rossi, p. 41.

[35] Consult, e.g., *La Terre*, March 8, 1951. More outspoken in his advocacy of the collectivization of all rural holdings is Waldeck Rochet, "Le socialisme et les paysans," *L'Humanité*, Dec. 24, 1949. As far as could be ascertained, communist publications addressing the farmers more specifically, such as *La Terre*, have never expressed themselves with similar frankness. It should also be mentioned that, when the article in *L'Humanité* was published, the "ideological offensive" was at its height, but that it has receded somewhat since then.

[36] See P. L., *op. cit.* (above, n. 19), p. 354. The same article comments interestingly on the already existing coolness of the French peasants towards agricultural cooperatives, discussed below in the text. For a striking parallel between this attitude towards agricultural cooperatives and Lenin's writings on the same subject, see Mitrany, *op. cit.* (above, n. 28), p. 83.

IV

The campaign waged among the French peasants by the clandestine CP after the invasion of the Soviet Union in 1941, played heavily on the possibilities for civil disobedience which agricultural producers have under every regime. At present the communists, intending to create or maintain wherever possible an atmosphere of latent civil war, have fallen back on many of the recommendations made to the farmers during the Vichy period. A general hostility against governmental authority and regulations is constantly fanned. The strong radical traditions of the peasantry in Central and Southern France are appealed to by a frank encouragement of what French writers frequently call *incivisme,* an attitude which led during the years of black marketeering to large-scale withholding of agricultural produce. While the CP does not advocate such drastic steps now, the plan of action which it suggests is designed to further a general flouting of law and order.[38]

Unremitting criticism of the prevailing tax system (which is not generally known to be particularly burdensome for the farming population) is pushed just far enough to suggest that the operators of small and medium-sized farms need not declare any taxable income. Open resistance to forced sales of farms is advocated. Cases where farmers have been successful in preventing such sales by coordinated action are proudly reported in the communist rural press, especially when tax debts have been involved.[39]

Another approach, first tried by the CP during the period of the resistance movement, is now further developed. The communist propaganda excels in formulating a concrete policy for various segments of the rural population. All of the suggestions are specifically designed to respond to actual grievances and are presented in a language which, besides its demagogic appeal, appears to indicate a great amount of expert knowledge of the problems involved.

Measures to overcome the general dearth of credit facilities are proposed;

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[37] Heberle, *op. cit.* (above, n. 17), p. 120, reports a remarkable variety of such attitudes towards radical propaganda during the declining years of the Weimar republic. An interviewed German farmer admitted then that there were indeed unbridgeable discrepancies between his own ideas of agricultural organization and those of the nazis. Yet he was convinced that in the future "Third Reich" the farmers would be so strong a power that they would be able to shape their destiny according to their own desires.

[38] See, also for the following, the issues of *La Terre* during the months preceding the elections of 1951, especially those of March 29 and May 17, 1951.

[39] Here again communist activities in present-day France closely resemble the tactics of the nazi movement during the last years of the Weimar Republic (Heberle, p. 78).

but most emphasis is placed on making loans available to young farmers who want to establish themselves. The communists ask that the old-age pensions be extended to operators whose holdings do not exceed a certain size. Since this question is presently caught in the deadlocked parliamentary discussions about a general revamping of the social security system, the CP deputies seize upon the opportunity of denouncing all other parties for sabotaging a communist-sponsored reform. Another attack on the legislature is staged by pointing to the situation of tenant farmers and share-croppers. Here the CP not only insists on a general reduction of the annuities to be paid by the tenants and on an increase in the share to be retained by the *métayers*; the CP also requests the integral defense of statutes which had been enacted rather hastily at the moment of the greatest communist ascendancy in parliament and country. Like certain other laws of the post-liberation period, the legislation improving the status of tenants and sharecroppers either has in the meantime been revised backwards or is under heavy attack by the revived forces of conservatism.[40]

Very careful attention is given by the communist propaganda to the situation of the winegrowers, who are suffering from high prices for products such as sulfur and from a decrease in wine consumption allegedly due to high excise taxes and to the declining purchasing power of the working class.[41] The sympathy of cattle and hog breeders is sought by yet another series of detailed proposals. An intense campaign is waged for the greatest possible "equalization" of conditions of employment for wage earners in agriculture and industry. The fact that fifteen months after the enactment of the new statute on collective bargaining, hardly any agreements affecting agricultural labor had been concluded, is denounced by the CP as yet another "sabotage" of social legislation.[42] Since only the large farms in the North and East are employing a substantial number of wage earners, the communists can launch this part of their campaign without fear of alienating their followers among the peasants of Central and Southern France.

In addition to the variegated appeals to different categories of agricultural producers and their families, there is constant stress on a number of economic demands which interest the rural population as a whole. The remedy against the widening scissors between industrial and agricultural prices is sought in a simultaneous reduction of prices for farm implements and in a generous scheme of price support for farm products. Abolition or substantial reduction of excise taxes on both foodstuffs and implements is another program point of the CP.

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[40] Compare the ordinance of October 17, 1945 (*Journal Officiel*, Oct. 18, 1945, pp. 6614–6618) and the law of April 13, 1946 (*Journal Officiel*, April 14, 1946, pp. 3131–3137) with the law of December 31, 1948 (*Journal Officiel*, Jan. 4, 1949, p. 182). For the part which the communists claim to have played in the earlier reform legislation, see Waldeck Rochet, Felix Garcia, *et al.*, *Le Statut du fermage et du métayage* (Paris, n.d., [1946]): A very complete and critical discussion of the intricate problems involved is contained in Rene Savatier, "Fermages et métayages: Bilan économique et social; technique réformatrice," *Collection Droit Social*, Vol. 37, pp. 26–37 (Nov., 1950).

[41] For a typical example of [CP] propaganda directed to a specific group such as the winegrowers, note the speech by Waldeck Rochet reported in *La Terre*, May 3, 1951.

[42] For more details on the question of extending the collective bargaining legislation to agricultural labor, see XXX, "Les conventions susceptibles d'extension intéressant les salaires des exploitations agricoles," *Droit Social*, Vol. 14, pp. 463–465 (July–Aug., 1951).

Altogether it is noteworthy that practically all of the communist requests are now directed at the government. During the deflation of the thirties and the immediate post-liberation period, the peasants were told that an improvement of their economic position depended on an effective resistance to the practices of the fertilizer producers or of the milling trusts; even the "big fellows" among the farming group came in for blame.[43] This kind of anti-capitalist appeal has now been considerably tuned down. Its place has been taken by efforts at increasing the wrath of the peasants against the public authorities, the state and its agents at every level.

V

The unifying theme of communist propaganda among the peasants is the "struggle for peace." The incessant and strident clamoring for a change in foreign policy is utilized to amalgamate the requests for economic, social, and political reforms, and to enlist pacifist, Jacobin, anti-authoritarian, and indeed nationalist traditions of the peasantry for the present-day goals of communism.[44] Precisely because such an appeal is based on strands—however contradictory they be—which have influenced the thinking of the rural population during most of the last hundred years, it can establish itself with the peasantry as being authentically French.

Local farmers' organizations which are controlled by the CP lay the sole blame for the backwardness of agricultural production at the doorsteps of the two world wars.[45] Without them, every farm would enjoy today modern conveniences, labor-saving devices, and general prosperity. At the dreaded approach of another conflagration, the peasants are reminded how military draft laws are bound to disrupt work, which is often on a family basis. Hence, the farmers are expected to protest violently a prolongation of the present draft period. Every instance where defense installations have been established on rural property is described in gruesome details. Lyrical and sentimental laments of what the loss of some vineyards will mean to the traditions of France, or of how the "cruel cement" of air strips is threatening the production of "delicious white bread" are filling the columns of communist newspapers.[46] At its highest pitch this propaganda comes very close to the "blood-and-soil" appeal of the nazis. It is also used to demonstrate that any defense economy means governmental interference, and that only a return to policies of peace will permit the farmers to remain "masters of their own land."

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[43] See, for prewar propaganda of this kind, Thorez, *op. cit.* (above, n. 31), p. 26, and for a specimen of post-liberation "anti-capitalism," Waldeck Rochet, *Pour la Restauration de l'Agriculture* (cited above, n. 28), pp. 9–10 and *passim.*

[44] For the prevalence of nationalistic feelings among peasant groups of various countries, see C. J. Friedrich, "The Agricultural Basis of Emotional Nationalism," *Public Opinion Quarterly*, Vol. 1, pp. 50–61 (April, 1937). This otherwise excellent and very helpful study indulges in the usual generalities about the French peasants' support of Napoleon III.

[45] For examples, see Flavien, *op. cit.* (above, n. 20), p. 653.

[46] Note, for instance, *La Terre*, April 19, 1951.

Comparisons between the huge armament expenditures and the insufficient sums going into rural investments suggest that every desirable reform (advocated by the communists) can be realized on the morrow of the shift from a war to a peace economy. For the present the peasants are almost openly encouraged to persevere in their traditional working habits. But as soon as France will have abandoned its armament efforts, huge sums will be available for the modernization of agriculture and for a rapid increase in productivity.

That the communist "peace" program is expected to appeal simultaneously to workers and farmers is probably considered by the party as its most important aspect. Tax reductions benefiting both groups, more price support for certain agricultural products, and massive wage increases to the workers are to result in a coincident rise of urban purchasing power and rural earnings. Putting the national economy on a peace-time footing is to provide the magic rod with which to finance such attractive policies.

How to bridge the gulf which traditionally exists between the French workers and the farmers has been among the most constant preoccupations of the CP, at least since the liberation. Class and group cleavage in French society is tenacious at every level and has proved an obstacle to regional and national, as well as to party, integration.[47] That there is neither "dialogue" nor "consensus" between the working class and the farmers has often been observed. The worker considers the farmer, even the poorest one, an "egoist," a "rich man," and culturally a "peasant."[48] The peasants in turn envy the workers for their "soft life" and are often critical of what they consider a "coddling" social legislation. The comradeship that grew up in the resistance movement provided only a short-lived mutual sympathy; moreover, it affected a numerically rather small segment of urban and rural population. Since then the traditional antagonism has only been aggravated by the conditions of black market and inflation.

Before the war, such feelings of hostility had presented communist propaganda in the countryside with problems which were considered, even by some prominent party leaders, to be insurmountable.[49] When after the liberation the CP strove to transcend its working-class basis and sought to grow into a large popular movement, renewed attention was paid to the desirable unity between "urban and rural producers." Because of the particularities of the economic situation which then prevailed, it was far from easy to find a common denominator for the defense of workers' and peasants' interest. The trumpet call for united resistance to the common enemies, the "trusts" and "fascist reactionaries," sounded rather flat.[50]

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[47] For an almost classical formulation of this deficiency, consult André Gide, *Journal, 1889–1939* (Paris, 1939), p. 668.

[48] For a recent evaluation of such feelings, see Lucien Bernot and Pierre Clément, "Lutte Ouvrière," *Esprit*, Vol. 19, p. 179 (July-Aug., 1951). While that report discusses mainly the schism between urban and rural workers, it also sheds light, as the editors note correctly, on the problem of worker-peasant relationship.

[49] See Wright, "Communists and Peasantry in France," p. 221, and the interesting references given there.

Now, the transformation of the CP into the "party of peace" and the amalgamation of all its enemies into one conspiracy of warmongers afford an opportunity of demonstrating to workers and peasants alike that there exists an indissoluble community of interest among them.[51] Plans for rearming Germany, the shortening of jail sentences of nazi industrialists, and the Schuman Plan (according to the CP propaganda, strictly a scheme for resurrecting German cartels) are castigated as preparatory steps for another German invasion of France. The presumably disastrous consequences of Marshall Plan aid for French agriculture and the economy as a whole are continuously harped upon in great detail. The economic independence of France is described as undermined by imports from the western hemisphere and by the recent trade agreements concluded with Italy and Spain.[52] Even while the communists were still members of the cabinet, communist speakers in parliament had, in the name of unbridled "sovereignty," voiced frank opposition against any kind of international trade agreements that would expose the agricultural producers of France to "brutal" competition from the outside.[53] The recent announcement that the flow of trade for agricultural products might be facilitated among the member nations of the European Council has inspired the communists to advocate a strictly autarchic trade policy.

The nationalist fervor of such propaganda permits the communists to indulge in the familiar black-white technique, and to pillory the enemies of communism for committing the sins of which communism is accused. The present government is attacked for its "anti-French" policy; it has permitted Wall Street to "colonize" the country.[54] Consequently all anti-communist arguments are brandished as "enemy propaganda." The communists alone are engaged in a "strategy of truth" and know how to defend national interests and independence. During the last election campaign two pamphlets were distributed simultaneously in the countryside, one entitled "The Marshall Plan against the Farmers," the other "Stalin and the Farmers." Pre-election issues of *La Terre* carried side by side one graph representing American air bases around the globe, and another illustrating the Russian "deserts" which atomic energy is transforming into fertile lands. As a further contrast to the drab reality of present-day French defense economy, the well-known Lenin quotations about the benefits of rural electrification are dramatically highlighted, evidently with the twofold intention of holding out to the French peasant the promise of a better life and of combatting possible anti-Soviet prejudices.[55]

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[50] See Waldeck Rochet, *Pour la Restauration de l'Agriculture*, pp. 31–32.

[51] As an example of many similar appeals, note "Paysans et Ouvriers sont solidaires," *La Terre*, March 29, 1951.

[52] *La Terre*, March 8, 1951.

[53] Waldeck Rochet, *La Défense de l'Agriculture* (cited above, n. 28), pp. 12–13.

[54] Once more the communist propaganda is closely akin to the nazi propaganda among German farmers: during the Weimar republic the nazis spoke constantly about the "so-called German government," and blamed commercial treaties for making the German people the "slaves" of the outside world. The "international Jewish finance capital" of the thirties has, of course, been replaced in the communist press by the shorter "Wall Street."

To lead France from the camp of war and hell to that of peace and paradise, to liberate themselves from their present nightmare and misery, peasants, workers, and small businessmen are urged to rub shoulders in the committees of the "partisans of peace," and to organize strenuously under the leadership of the CP.[56]

VI

Compared with the prewar period, communist activities among the peasantry have undergone significant changes both in regard to party personnel and to methods of action. Until 1939 Renaud Jean, once a farmer himself, characterized by Trotsky as preaching the doctrines of the Russian Social-Revolutionaries, directed the rural propaganda activities of the CP.[57] Considered something of a "specialist," Renaud Jean, who had been the author of the agrarian program of 1921, was known to have preserved a certain degree of independence even as a member of the party's Political Bureau. With the increasing "bolshevization," i.e., the transformation of the CP into a Russian state party,[58] Renaud Jean was still permitted to remain preoccupied with the particular interests of the French agricultural producer. Keeping voluntarily aloof from some of the most violent factional party strife and affecting disinterest, again under the guise of the "agrarian specialist," in the fluctuations of the party line, Renaud Jean represented an almost anachronistic element in the international communist movement of the thirties. Because

[55] Already at the Seventh World Congress of the Communist International in 1935, Manuilski had hoped that by showing the way "to overcome the contradiction between low techniques in agriculture and high techniques in industry," the example set by the Soviet Union would be able to win over the peasants in capitalistic countries to the communist cause. See VII Congress of the Communist International, *Abridged Stenographic Report of Proceedings* (Moscow, 1939), p. 527; see also Mitrany, p. 178. Some fifteen years earlier Lenin had, in his comment on the agrarian program of the French CP, written about the "magnificent possibilities of electrification" existing in France, possibilities which would greatly profit "the small peasantry." See Russischer Kommunist, "Zu den Thesen der Französischen Kommunistischen Partei über die Agrarfrage," *Generalregister der Kommunistischen Internationale,* Vol. 3, pp. 71–5 (No. 20, 1922). This passage is widely quoted in present-day French communist propaganda.

[56] See Jean Flavien, "Le travail du parti a la campagne," *Cahiers du Communisme,* Vol. 28, pp. 175–176 (Feb., 1951), and Roger Garandy, "Les tâches et les méthodes de notre propagande," *ibid.*, pp. 523–524 (May, 1951). Subsequent to these articles, the all-too-noisy peace propaganda seems to have subsided somewhat. It seems possible that here a new "line" is in the making.

[57] For an interesting description of Renaud Jean's activities, see Walter, *op. cit.* (above, n. 30), pp. 115, 145–146, and Wright, "Communists and the Peasantry in France," pp. 221–224.

[58] To borrow an expression from Ruth Fischer, *Stalin and German Communism* (Cambridge, 1948).

of his genuine popularity among the rural followers of the CP and his undisputed contribution to the party's slow but steady progress among the peasants, his independence was tolerated, though it was bitterly resented by many of his colleagues in the communist bureaucracy.

At the outbreak of the European war, stubborn farmer that he had remained, Renaud Jean did not hide his distaste for the Nazi-Soviet Pact and withdrew into anonymity. Why he was not expelled from the CP, as were all others who wavered in their unquestioning loyalty at the "hour of trial," remains to be determined. The fact that his grass-roots support, especially in his home district, has remained strong is probably not a sufficient explanation, since in the course of time Moscow bulls have turned other popular leaders into dangerous heretics. Today Renaud Jean is no longer a member of the party hierarchy, but he still keeps his seat as a communist deputy in parliament and remains a spokesman of the party in farmer organizations. His frequent speeches are being reported dryly, though they are never highlighted in the communist press. It is most likely that the CP still considers Renaud Jean a potentially useful propagandist, especially if the rural activities of the party are to be pushed further and if the men presently in charge of this work should be found to be wanting in the needed appeal.

Renaud Jean's successor, Waldeck Rochet, Secretary-General of the *Section agraire* of the CP and a member of the party's Political Bureau, is a typical representative of present-day communist leadership. Although his family background is used to present him as another "son of the people" and as a dirt farmer, his career has been actually that of an ambitious climber in the party hierarchy. Sent to Moscow as a very young and promising candidate for the high office of a professional revolutionary bureaucrat, he was known among the fellow-members of his "graduating class" at the Moscow party school for both his cynicism and his reckless denunciations of comrades who deviated, however slightly, from the party line. Upon his return the CP launched him on a career as Renaud Jean's lieutenant, saddling him with such various difficult assignments as representing in the Chamber of Deputies the interests of both suburban workers and small farmers. He accomplished his various tasks with bureaucratic precision, studied slickness, and a flair for modern propaganda methods.

His approval of the invasion of Poland by the Soviet Union landed him in prison, a fact which permits the CP to laud him now as a hero of the resistance movement. After his liberation following the American invasion of North Africa, he represented the CP first in London and then in the Consultative and Constituent Assemblies. Since then he has become one of the most influential members of the party, esteemed as an untiring speaker in and out of parliament and as the editor of the weekly *La Terre*, which is rumored to have a considerably larger printing than *l'Humanité*. With an almost unmatched virtuosity, he has given expression to the fluctuations of the party line since 1945; his effectiveness does not seem to be impaired by the blatant contradictions in which such a course has involved him.

Under constant prodding from Waldeck Rochet, the general orientation of communist activities among the peasants has undergone a significant change over the last years, and increasingly so at the approach of the last elections. It is emphasized that the propaganda in the villages and on the farms is no longer to be regarded as the work of specialists, but as a matter of concern for the entire party.[59] Hereby a twofold objective is achieved. The peasantry is to be shown that its problems are given as much attention as those of the urban proletariat and that it has no longer to content itself with a "special" place in the party's heart. But equally, if not more important, is the fact that there will be no longer any independence for those engaging in rural work, as in the times of Renaud Jean's prominence. In its desire to obtain complete "unity of thought" (*unité de pensée*) at all its echelons, the party has assigned to every CP federation a delegate from the Central Committee. This delegate is in charge of synchronizing all party activities with the directives coming from headquarters; he has, therefore, also complete supervision of communist propaganda among the peasantry.

The propaganda itself has changed focus in a way which makes strictest control all the more indispensable. At least for the present, mass meetings are no longer considered the best media of communist agitation. Actually the CP has to reckon with a considerable falling-off in attendance at their great public rallies, which had become carefully prearranged ceremonies, complete with unopposed harangues and unanimous applause. Perhaps too early the anti-communist press has taken such slackening of mass mobilization as a sign of declining popular sympathies for the CP. The party itself has rather drawn the conclusion that techniques which have proved useful in such pararevolutionary situations as the aftermath of liberation or the heyday of the Popular Front must, in a different political climate, be replaced by other devices. Hence, during the pre-election months the main emphasis was placed on door-to-door propaganda, carried out by what was to be a "veritable army of propagandists spreading the truth in the factories and the villages."[60] A systematic campaign was designed to further sympathy for the communist candidates among socialists, catholics, "all democrats, patriots, friends of peace." *La Terre* and other national publications were given the task of popularizing the general aspects of the rural program and of endearing themselves to the farmers and their families by columns devoted to practical and technical advice. Regional documentation furnished by party headquarters to individual propagandists and to the numerous rural papers was designed to answer even the most detailed questions which the farming population in various sections of the country might raise. This type of campaigning favored greatly the "atomization" of the audience, permitting the fullest use of the variegated appeals discussed earlier.

Since it had generally been forecast that the communists would lose votes in rural districts, the CP selected for a regular "pilot campaign" two *départements* which, because of their economy and their traditions, offered good prospects of continued peasant support. Not unlike Hitler in the notorious Thuringian elections of 1932, the CP, combining all of the tested propaganda techniques, threw its best speakers, specially prepared printed materials, and able practitioners of word-of-mouth agitation into the *départements* of Allier and Haute-Vienne. The result was an increase in communist votes of 5 and 4 per cent respectively; in both cases this success was clearly achieved at the expense of the socialists.

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[59] See Flavien, "Le travail du parti," p. 182.

[60] Consult, also for the following, "Les Elections et la Bataille pour une Politique Nationale de Paix," *Cahiers du Communisme*, Vol. 28, pp. 508–509 (Feb., 1951).

The self-criticism to which the CP subjected its work among the peasants after the elections further illustrates goals and methods of the party.[61] As is to be expected, no attempt is made in the communist press to explain progress or decline of voting strength by objective factors, such as regional differences in prosperity or character of rural holdings. According to the communist analysis, losses, wherever they have occurred, are due in the first place to "enemy propaganda." And the fact that this propaganda must have been more effective in some places than in others is attributed to some weakness in party strategy or tactics—such as a lack of continuity in agitation or a slackening of efforts between elections.

There are, obviously, well-founded complaints that the CP is far from having won over the masses of agricultural workers. Traditionally no political movement has ever succeeded in gaining the solid sympathies of French rural labor. In spite of strenuous endeavors, none of the various trade-union centers can boast of a sizeable organization of agricultural workers. The vote of rural labor has been generally shattered and hence has little weight. That neither the communist-led General Confederation of Labor (CGT) nor the CP has been able to make significant inroads here is particularly resented because the agricultural workers are regarded by the party as the natural element to form a bridge between industrial workers and peasants. Interestingly enough, the CP seems to be at a loss or to be unwilling to explain its lack of success among rural labor.[62]

In general, the CP leadership reproaches its party workers for insufficient work within the professional rural organizations, and especially the *Confédération Générale de l'Agriculture* (CGA). Shortly after the liberation, the communists decided to merge their own Committees of Peasant Defense with the newly founded CGA. Waldeck Rochet did not tire to explain to mass meetings as well as to the communist cadres that the CGA had become "the great organization of French peasantry,"[63] and that, therefore, communists should be active within its ranks. Quite obviously the CP hoped to repeat, or at least to approximate, in the CGA its performance within the CGT, which two years after the liberation was completely dominated by the communists. Yet the development of the CGA has been quite different.

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[61] For a very revealing auto-critique of party activities, see Waldeck Rochet, "Le résultat des élections et le travail du Parti à la campagne," *France Nouvelle*, July 7, 1951. For an earlier criticism of the work among the peasantry, note Waldeck Rochet, "Staline et la question paysanne," *Cahiers du Communisme*, Vol. 26, pp. 1529–30 (Dec., 1949).

[62] For the general problem and a comparative survey of trade-union activities among agricultural labor in various countries, see Innocenzo Gasparini, "Strategia agricola di una Confederazione sindacale di Lavoratori," *Sindicalismo*, Vol. 1, pp. 27–50 (July, 1951); also, for the situation in France, Claude Chaballier, *op. cit.* (above, n. 10), p. 101, and Bernot and Clément, *op. cit.* (above, n. 48), p. 153.

From year to year communist influence within the organization and its various subdivisions has diminished, now reaching almost the vanishing point. Especially painful has been the loss of control in the Farmers' Union (*Fédération des Exploitants*), grouping all elements engaged directly in working the land. With the exception of a very few local sections, one of them the domain of Renaud Jean, members of the CP are barred from all official functions in the organization. At the last convention of the Farmers' Union, only a handful of communist speakers were heard; the national executive boards of the organizations affiliated with the CGA are all but completely cleansed of communists. Some sections were threatened with expulsion from the CGA for having signed the Stockholm peace appeal.[64]

By the same token, the CP is left without any friends among the representatives of agriculture in the Economic Council of the Republic. In that advisory body the rural representation does not always vote *en bloc* and is often divided on questions which affect differently the various categories of farmers. But when an issue arises on which the communists have announced a specific policy, save for that of the four delegates of the CGT agricultural workers' union, usually none of the votes cast for the agricultural group is supporting the CP or its sympathizers.[65]

The leadership of the Farmers' Union and of the entire CGA is quite clearly in sympathy with the present middle-of-the-road governments and attempts to function as a regular pressure group in the lobbies of parliament and in the bureaus of the executive departments. For such activities and for its open support of the Marshall Plan and a western-oriented foreign policy, the directors of the CGA, and especially the energetic president of the Farmers' Union, M. Blondelle, are violently denounced by the communists as having introduced "politics" into the organization. They are accused of not truly representing the masses of the farmers but only a privileged clique. Hence the communist press treats reports about the rapidly declining membership of the CGA like victory bulletins.[66] The fact remains, however, that, in contrast to its control over the organized labor movement, the CP has lost all influence within the only representative farmer organization.

It remains to be explained why, simultaneously with such weakness, the

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[63] See Waldeck Rochet, *Pour la Restauration de l'Agriculture*, p. 30, and Wright, "Communists and the Peasantry in France," pp. 226–229, for developments of communist influence in the CGA between 1944 and 1949.

[64] Note *La Terre*, Feb. 22 and March 1 and 8, 1951.

[65] For some interesting examples of the line-up of votes in the Economic Council, see *Avis et Rapports du Conseil Economique*, *Journal Officiel*, Feb. 22, 1951, pp. 101–103, and March 8, 1951, pp. 135–136.

[66] Note *La Terre*, March 8 and May 10, 1951.

electoral strength of the communists remains considerable among the peasant population. Light on this discrepancy might be shed by a comparison between the status of the CP in countryside and city. It is by now obvious that the efforts of the non-communist trade union confederations to attract the masses of the industrial workers and to turn them away from the CGT have, on the whole, met with failure. For reasons which cannot be discussed here, the core of the working class movement, its most advanced, disciplined, and active elements remain communist, or at least communist sympathizers. They in turn, by their example and authority, have induced the majority of organized labor to remain faithful to the communist-controlled CGT, which moreover is adorned with the aureole of tradition and serves as a symbol of working class unity.[67] The peasants who have remained communist voters are not among the most advanced members of their class, but belong, as has been analyzed, to the most backward segments of the rural population. They are responsive to the emotional appeal of communist propaganda and are swayed by promises of economic betterment. Yet they lack corporative discipline; and, therefore, the leadership in the agricultural organizations has fallen, as in prewar days, to the representatives of the more prosperous "middle class" farming or of the definitely capitalist agrarian element. It may well be that numerically the CGA and its affiliates have lost in importance. But, as during the interwar period, this loss is due to the fact that the masses of pre-capitalist peasants (and now communist voters) have no longer any interest in being active within the agricultural unions.

At present the position of the CP in the CGA has deteriorated to a point where many of the remaining communist elements wish to withdraw altogether from what appears to them a "fascist organization." They have to be called to order by the leadership of the party which, with the aid of still other Lenin quotations,[68] attempts to prove that the true communist should always remain "with the masses." At this point it is not probable that such contradictory exhortations will stem the tide which might wash the communists completely from any influence among the *organized* peasantry.

VII

From the record of communist success and failure among the French peasantry, a few conclusions might be drawn concerning the operations of a totalitarian movement in present-day democratic society.

In many ways the appeal of the CP to the peasants whose support it has won or maintained is based on the economic and social experiences shared by this group. In this respect the CP acts as a class party, playing up to the frustrations which in French society, with its egalitarian ambitions and its limited economic opportunities, have kept alive the radical traditions of the Montagne for over a century. The inflationary character of the postwar economy, coupled with the low elasticity of the demand for agricultural produce and the dearth of credit, have created both an objective and a subjective community of interests. This circumstance makes it possible for the CP to launch its call for class or group action to a numerically important part of the French peasantry.[69]

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[67] See Val R. Lorwin, "The Struggle for Control of the French Trade-Union Movement 1945–1949," and Henry W. Ehrmann, "The Decline of the Socialist Party," in Edward M. Earle (ed.), *Modern France*, pp. 181–218.

[68] Taken from V. I. Lenin, *"Left-wing" Communism: An Infantile Disorder* (New York, n.d.).

In contrast to the situation in the predominantly agrarian countries of Eastern Europe and Asia, the French CP is faced with the problem of having to address simultaneously the industrial proletariat and the farmers. It is most likely that the feelings about the peasants as "eternal followers," placed by Malraux in the mouth of the representative of the Communist International in Shanghai[70] still express the convictions of the communist leadership everywhere. But in agrarian countries where, in the absence of the social roots of marxism, political chances have given power into the hands of the communists, the question of leader and follower has resolved itself into the fairly simple relationship between the party cadres and the peasantry.

In present-day France the communists are committed to treat industrial workers and peasants as equal partners in the struggle for "liberation." To achieve this end, the CP has to shed its character as a class party and to concentrate on appealing to an allegedly nationwide unity of despair existing between traditionally antagonistic social groups. It has been described as characteristic of totalitarian movements, and especially of nazism, that they mobilize masses instead of classes.[71] Such mobilization of people who are not held together by a consciousness of common interest is usually successful only when a severe economic, social, or political crisis has blurred or obliterated the conflicting interests.

The twofold character of the French CP as an organization actuating simultaneously class interest and mass despair explains both the disparity and the similarity between the communist and the nazi-fascist movements. It certainly makes a difference in ideology and terminology of the leadership whether a party like the nazis pretends to suppress class conflict by treating it as a wicked illusion or whether, like the CP, it clings to the tenets of marxist belief in class struggle. Yet, as frequent examples of communist propaganda discussed throughout this paper seem to indicate, there is, at least at the grass-roots level, little difference whether totalitarian movements "organize the masses in the name of race or class, pretend to follow the laws of life and nature or of dialectics and economics."[72]

The attempt at mobilizing the masses of the French peasantry takes on a particular hue because of the particularities of the audience. Inasmuch as these farmers live under anachronistic economic and social conditions which make them appear as a group forgotten by history, they are likely to be enraptured by an emotionally-loaded appeal to their deeply felt but not clearly analyzed resentment. On the other hand, unlike the outcasts from whom the totalitarian movements of the thirties recruited the bulk of their followers, the peasants have had their representation on the political scene of France. Hence the CP has also to make a conscious effort to present itself as the heir of the radical and socialist parties. To succeed here, a different and more rational approach is needed.

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[69] For more details on what might be called the "market theory of group conflict," see Lionel Robbins, "The Economic Basis of Class Conflict," in T. H. Marshall (ed.), *Class Conflict and Social Stratification* (London, 1938), pp. 112–133.

[70] In the passage chosen as the motto for this article.

[71] See Emil Lederer, *State of the Masses; The Threat of the Classless Society* (New York, 1940), and, more recently, the remarkable work by Hannah Arendt, *The Origins of Totalitarianism* (New York, 1951), esp. Chs. 10 and 11.

[72] See Arendt, p. 306.

This paper is obviously not concerned with predicting the future. The results of the last national elections could be interpreted as an indication that in both the urban and the rural milieu the CP has reached its saturation point of electoral strength, which has always been estimated not to exceed about 25 per cent of the total electorate, as long as the processes of democracy prevail.[73] The decline of social vigor and actual power of the party can be measured in the relative ineffectiveness of strike movements and in an inability to keep the young generation as actively interested in the CP as at the height of its influence.[74]

But the present study seems also to suggest that such a stagnation of CP influence might last only as long as the present precarious stabilization of French society and economy lasts. Should new and heavy inflationary pressures develop and anxiety grow about an approaching armed conflict, the CP might well show that in city and countryside it has still untapped resources of demagogery and enough flexibility of organization to capitalize on the unity which is created by common distaste for the existing order.[75]

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[73] Note Fauvet, *op. cit.* (above, n. 1), p. 77.

[74] The status of CP influence among young farmers needs further study, especially since the active support of the dissatisfied youth has always played an important role in the march to power of a totalitarian movement.

[75] For an excellent analysis of the organizational potentialities of the CP, see Maurice Duverger, "Military and Political Rearmament," *Measure*, Vol. 2, pp. 261–268 (Summer 1951). For an overall discussion of the problem of Western European Communism and its possible solutions, see Mario Einaudi, "Communism in Western Europe: Its Strength and Vulnerability," *Yale Review*, Vol. 41, pp. 234–246 (Winter, 1952).

INTERACTION OF PSYCHOLOGICAL AND SOCIOLOGICAL FACTORS IN POLITICAL BEHAVIOR*

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The theoretical models developed to deal with the interaction of sociological and psychological factors in the formation of political behavior indicate a wide divergence of opinion. At one extreme are a group of scientists, mainly psychiatrists and anthropologists, who see most social phenomena as deriving from the subjective experiences of the individual. The specific traumata inherent in different methods of upbringing and in the resulting renunciations imposed upon the child are regarded by them as the formative basis for customs, religions, social attitudes, and so forth. Some specific examples of their point of view may be found in attempts to explain war as an expression of the destructive instincts, or capitalism as a manifestation of the anal syndrome. But at the other extreme are proponents of the view that the social structure is independent of the single individual and that individual behavior can be explained and predicted in terms of membership in classes and groups as they have developed historically, mainly on the basis of mode of subsistence.

Failing to agree with either of these extreme points of view, one may argue that any speculation about the causal interrelation of sociological and psychological factors in the group and in the individual must recognize the fact that these factors have been artificially isolated and abstracted and that no exclusive factual primacy can be given to any of the aspects in a pattern so closely interwoven. An inquiry into the totality of the social process must consequently consider the structure of the social institutions as well as the different ways in which the economic and social organization is experienced by, and incorporated within, the individual.

A more fruitful question than that of factual primacy of factors is the one which inquires to what degree the conceptual tools of psychology and of sociology are equipped to describe the various phenomena in question. Accepting Parsons' assertion that social institutions and the standardized behavior derived from these institutions comprise the major content of sociology,[1] we shall deal in this paper with the origin and change of institutional patterns with very little, if any reference to psychological concepts. On the other hand, when we turn our attention to the functioning of the institutions and their influence on man and his social behavior, psychology will be predominant.

Harold D. Lasswell's *Psychopathology and Politics*[2] was a pioneer study which tried to integrate psychological and political concepts, and Erich Fromm's *Escape from Freedom*[3] was another outstanding attempt at such a synthesis. (The influence of Fromm's work on the recent group study of *The Authoritarian Personality*[4] can be seen very clearly.) Other valuable attempts to synthesize psychological and sociological aspects have been made by Abram Kardiner,[5] Ralph Linton,[6] Clyde Kluckhohn,[7] and Margaret Mead.[8] In the present writer's previous studies,[9] she has stressed the importance of differentiating the motivational aspect of social behavior from its effects and adaptive value; and we shall take up this distinction, with its implications for political behavior, in the next section. Here we need only emphasize that both social behavior and personality structure are important links in the network of societal interaction, with sociology and psychology representing different levels of organization and of abstraction. As we proceed further, we shall encounter the necessity of differentiating sublevels within psychology as well as within sociology. In making, as we can and must, the distinction between the concepts of psychology and those of sociology, it is necessary to keep in mind that the study of individuals in their personality structures is but one of the many methods by which the social structure can be revealed. However, a deep and penetrating study of individuals may often tell us more about the themes of a contemporary society than will a surface description of the existing institutions.

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* This paper is a somewhat expanded version of one presented as part of the Symposium on Sociological and Psychological Problems Involved in the Study of Social Stratification and Politics, at the forty-seventh annual meeting of the American Political Science Association in San Francisco in August, 1951.

[1] See T. Parsons, *Essays in Sociological Theory: Pure and Applied* (Glencoe, Ill., 1948).

[2] (Chicago, 1930).

It is intriguing to follow the reverberations of social patterns within the most intimate realms of individual life. We know a little, but not enough, of how social and technological changes play upon neurotic symptoms and how they find their way into the most bizarre delusions of psychotics whose very disturbance is their obvious remoteness from the social realities. And the findings of research on the "authoritarian personality"[10]—a pattern most relevant to the contemporary social scene—have revealed, among other things, such trends as self-alienation, mechanization, standardization and stereotypy, piecemeal functioning, intolerance of ambiguity, lack of individuation and spontaneity, and a combination of irrationality with manipulative opportunism. These features, discerned in the psychological study of individuals, are closely akin to some of the features inherent in the process of industrial mass production and the machinery by which it operates; the functioning of social institutions seems clearly to be illuminated by studying how they are realized within the individual.

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[3] (New York, 1941).

[4] The studies for this book (New York, 1950), Vol. 5 of *Studies in Prejudice*, were carried out by T. W. Adorno, E. Frenkel-Brunswik, D. J. Levinson, and R. N. Sanford, and they are its joint authors.

[5] *The Individual and His Society* (New York, 1939).

[6] *The Cultural Background of Personality* (New York, 1945).

[7] *Mirror for Man* (New York, 1949).

[8] *And Keep Your Powder Dry* (New York, 1942).

[9] See especially "Psychoanalysis and Personality Research" in "Symposium on Psychoanalysis by Analyzed Experimental Psychologists," ed. G. W. Allport, *Journal of Abnormal Social Psychology*, Vol. 35, pp. 176–97 (1940), and *Motivation and Behavior*, Vol. 26, No. 3, of Genetic Psychology Monographs (1942).

[10] This and many subsequent references are to the material about and treatment of this concept in *The Authoritarian Personality*. However, also see below, n. 15.

However, we cannot continue to develop concepts of mental health and integration without reference to the economic and social realities. This means that, in addition to the assessment of the rational and manifest purposes of social institutions, we must assess their irrationalities, inconsistencies, and latent meanings in order to know what kind of behavior we may expect from individuals. The complete appraisal of an individual, the evaluation of his adjustment, his sanity or insanity, implies a knowledge of the social realities, whether these be rational or irrational. All therapeutic techniques and therapeutic goals must be in accord with these realities.

Thus we come to ask what kind and degree of integration of the internal "personality agencies" we may expect from individuals who live in a period of increasing division of labor and of part-functioning in the manufacturing process, from individuals increasingly controlled by outside forces which must remain opaque and unintelligible to them, with the value of the family challenged and many other traditional values in decay, with social changes too rapid to be genuinely assimilated, and with an emphasis on success and competition which compels the individual to a degree of externalization that is only too likely to interfere with internal integration. To make this picture even more complex, the rewards of competition and initiative are increasingly diminished as participation in, and belonging to, big organizations become more important.

On the other side of this picture are forces which counteract to a certain degree the threatened disintegration. The same individual who has to meet the challenges just listed is exposed to a great variety of strivings and attempts, the goal of which is penetration to the fundamentals behind the confusing and shifting surface, and which promise new kinds of stabilities and salvations. Furthermore, the rising number of choices offered the individual in the course of the progress of industrial society may compensate for the restrictions stemming from the same process.

While social institutions in this manner undoubtedly influence the reactions and orientations of individuals, political institutions, such as that of democracy, conversely must be formulated with reference to psychological realities. How should democratic values be made vital to men of various socio-economic and national backgrounds? What degree of rationality, of tolerance of the complexities and conflicts inherent in the democratic process, can be expected of them? How much need for absolutism and dogmatism do we find in the various countries? How can democratic values be stated so that misinterpretation both in the direction of totalitarian absolutism and in the direction of a too far-reaching relativism will be avoided? Some of these questions can be answered by considering the type of personality for whom totalitarian forms of government have special appeal. The political attitudes of this personality group can also serve as paradigms to illustrate the interaction of psychological and sociological variables. But first we must turn briefly to the psychological tools, conceptual and methodological, which are at our disposal in describing man in his society.

I. GENERAL CONSIDERATIONS IN A SCIENCE OF PERSONALITY

Interest in the dynamics of human behavior in its full complexity appeared on the scene of psychology rather suddenly, and chiefly through the influence of psychiatry and psychoanalysis. The suddenness was a result of the fact that those interested in personality as a unit became weary of waiting until academic psychology, using experimental and laboratory techniques, could proceed beyond the study of the relatively simple sensory or motor units with which it customarily dealt. Behaviorism in its earlier forms was not really open to questions of motivation, since it emphasized directly observable ("manifest" or "overt") responses to immediate stimuli, rather than the internal dynamics of personality or the broader context and background of behavior with its consequences that point beyond the momentary situation. In fact, however, the distinction between the manifest and the inferred motivational personality is of the utmost importance in studying our culture. In any advanced culture an individual's real motivations quite often have to be disguised or transformed in order to pass individual and social censorship. Nevertheless, as common observation itself bears witness, as a rule they do not cease to exist and to exert influence. (For example, it is well known that exaggerated friendliness may serve, or even be the direct result of, strong hostile tendencies.) For this reason, the shift of emphasis from the level of external, overt manifestation to the level of motivational dynamics, stemming from psychoanalysis, has opened the way to highly fruitful explanations and predictions, and ultimately to the establishment of a stratified psychology of personality as an exact science.

The concept of underlying motivation supplies us with an instrument which, because of its particular level of abstraction or depth, is helpful in uncovering hitherto unrecognized relationships and consistencies in the field of personality —under the provision, of course, that the relations between inferred drive and overt behavior have been analyzed and the meanings of the former specified in objective, "operational" terms. This type of analysis has been extended from the customary casuistic to the more useful statistical stage in a study on the interrelationships between motivation and behavior.[11] A group of adolescents, known to a group of observers over a period of many years, was rated by the latter on the basis of underlying motivation rather than on the usual one of displayed social techniques. The results supported the original assumption that such "intuitive" drive-ratings are of considerable advantage in organizing a great body of data consisting of descriptions of behavior, of so-called projective materials (such as perceptual responses to inkblots or stories told upon showing of a picture), of self reports, and of other surface material. In fact, by conceiving of seemingly diverse behavioral reactions as alternative manifestations of one and the same dynamic force, we are enabled to resolve successfully many apparent inconsistencies. Central motivations can be established and consistent themes in an individual's life can be uncovered. It often turns out, if we draw our inferences in this way from a great variety of manifestations (using gross as well as minimal cues) instead of taking verbalized statements or social techniques as directly valid, that we arrive at a more fruitful and unified interpretation of personality, and that such interpretations provide an improved basis for long-range predictions of the socially relevant aspects of behavior.

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[11] *Motivation and Behavior* (above, n. 9).

Having stressed the importance of the motivational approach, we must point out that this emphasis should not lead us to ignore the clear effects which behavior has upon society.[12] In a complete description of personality both aspects, the manifest and the motivational, must necessarily be included. Psychoanalysis and psychiatry cannot be entirely acquitted of the charge of having gone to the extreme of a one-sided emphasis on motivation. In the past, especially, it has very often appeared that a diagnosis of, say, underlying aggression was all that mattered, and the question of whether the underlying hostility led in a compensatory fashion to great achievement or to criminality seemed to be of little importance. In our discussion of political behavior we shall see the necessity of viewing behavior both from the motivational angle and from the angle of manifest appearance and observable results. This is a step which makes possible a great deal of differentiation because it connects human behavior not only to its internal sources but also to external realities. We shall see that, in order to understand fully the reactions of individuals to social issues, we must keep these differentiations in mind and must use this multilayer approach.

In our opinion, Freud's signal contributions to sociology and political science are his interpretation of human behavior from the angle of its latent, unconscious, irrational, and archaic aspect, and his emphasis on the formative influence of early childhood, of dreams and of fantasies. It was Freud who also first pointed out the intimate interaction of biological and social facts in the individual although he has sometimes been accused of a too far-reaching biological orientation. Such processes as sucking, bowel movement, and masturbation, considered as purely biological phenomena before the advent of the dynamic approach to personality, have been woven by psychoanalysis into the fabric of social interaction. From the newer viewpoint, sucking appears not only as a means of getting food but also as a means of experiencing and expressing affection and aggression, and the process of bowel movement is seen as one which is utilized by the child in his struggle with his parents and with authority in general. We now realize that cultures in general, and individual parents and children in particular, use these biological processes as a medium to induce or to express such social attitudes as submission or stubbornness, generosity or retention, and so forth. Similarly, dreams, which were considered as private and meaningless before Freud, are now being used as a basis for a reconstruction of the most decisive and subtle aspects of interpersonal relationships.

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[12] See "Psychoanalysis and Personality Research" (above, n. 9).

The ways in which Freud deals with social problems, however, are undoubtedly insufficient. His direct writings on the origin and structure of society[13] have been justly criticized for their speculative and ahistoric nature. Indeed Freud, who introduced the historic aspect into the consideration of the individual, did not himself make use of this aspect in describing primitive societies, while, in addition, the close analogy which he draws between the maturational stages of the individual and the maturational stages of societies appears to a large extent unwarranted by fact. Social influences are seen as a series of traumata which bring to a halt and discontinue gratification and expression of instinctual strivings. Though this image of civilization as a pattern of forces chronically interfering with the individual and leaving him mutilated is not altogether without point, it certainly is too narrow. The concept of sublimation, adduced to explain how the energies of the ungratified instincts are transferred to socially constructive goals, remains relatively sterile and vague in the writings of psychoanalysis, and very little has been said about the satisfactions which may be derived from successfully adopted social roles and identities. This omission indicates that the environment enters the scope of traditional psychoanalytic investigation mainly insofar as it permits a repetition of childhood reactions to father, mother and other persons in the past social environment of the child. Yet social attitudes and social techniques are at least as real as underlying motivation and early childhood, even though we may need to speculate on the latter in order to understand the former. For example, in our own studies, which were focused primarily on the subject's social attitudes,[14] our inquiry into his attitude toward, say, Roosevelt, was not undertaken in order to increase our understanding of his attitude toward his own father. But it is true that we probably would never have been able to understand the range and subtlety of our subject's attitudes toward Roosevelt had we not been guided by the accumulated and integrated findings of psychoanalysis on attitudes toward fathers, father-substitutes, and father-figures.

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II. THE AUTHORITARIAN PERSONALITY: A DESCRIPTION ON FOUR LEVELS

The distinct personality pattern which emerged from two Berkeley studies[15] and which we have chosen to call "the authoritarian personality" will serve as a concrete example to illuminate in a more specific way the interaction of psychological and social factors. In our present description of this personality pattern, we shall first use the resources and language of clinical psychology. This approach alone will cover two levels, that of overt social behavior and that of underlying motivation; the discrepancy between the two has been shown to be one of the major characteristics of the authoritarian character. Our subsequent discussion, in this context, of the authoritarian's ways of perceiving and thinking will not introduce a really new level of description, since these matters may be classified with overt behavior as the directly observable reactions of the individual. A third level may be designated as social-psychological, since we shall deal here with attitudes toward social institutions and social roles. Finally, a fourth level of description will be from the sociological point of view, examining the authoritarian personality within the various social and occupational groups. Here some reference will be made to the political and social organization as historical background of the phenomena studied.

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[13] *Totem and Taboo* (New York, 1918) and *Moses and Monotheism* (New York, 1939).

[14] *The Authoritarian Personality.*

[15] Adult subjects were used for the project which resulted in *The Authoritarian Personality.* Children are the subjects of a second project, now being carried out at the Institute of Child Welfare of the University of California by the present writer with several collaborators. For preliminary reports of the latter, see the writer's "A Study of Prejudice in Children," *Human Relations*, Vol. 1, pp. 295–306, and her "Intolerance of Ambiguity as an Emotional and Perceptual Personality Variable" in Pt. 1 of "Symposium on Interrelationships between Perception and Personality," *Journal of Personality*, Vol. 18, pp. 108–43 (1949).

Totalitarianism as a political attitude held by individuals in America lends itself especially well to these four levels of description. Since the prevalent political organization in America is not a totalitarian one, such an attitude must be explained psychologically as well as sociologically. In countries where totalitarianism is a pervasive form of enforced organization, the importance of psychological factors involved in the choice of ideology is greatly reduced, for only when the existing institution leaves room for genuine preference do psychological and sociological factors become important.[16]

It is easy to anticipate that it will be impossible to give a pure psychological or a pure sociological description. We attempt here such an artificial isolation in order to demonstrate the relative contribution of the two types of conceptual organization. Naturally, the relatively lopsided descriptions which we have thus chosen to give will yield incomplete pictures. Only when taken together will they constitute an approximately comprehensive determination.

The material evidence of the two Berkeley projects mentioned above takes its start from questionnaire scales designed to elicit responses to a variety of slogans or statements involving social and political attitudes, with special emphasis on "ethnocentrism"—commonly known as racial or national prejudice—including attitudes toward parents, authority, conventional values, criminality, superstition, fellow men, fate, etc. Individuals found to be either extremely high or extremely low on ethnic prejudice were subjected to further study by intensive interviews and by the so-called projective techniques, such as the Thematic Apperception Test.[17] The interviews delved, among other matters, into the subjects' images of various social "outgroups," their spontaneous ideas and conceptions of major political and social events, of religion, of parents and childhood, of friends and of people in general, and of their experiences with, and expectations of, the other sex.

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[16] See the writer's "*Dynamic and Cognitive Categorization of Qualitative Material:* (1) General Problems and the Thematic Apperception Test, and (2) Interviews of the Ethnically Prejudiced," *Journal of Psychology*, Vol. 25, pp. 253–60 and 261–77 (1948).

[17] For a description of this test, see H. E. Murray and other workers at the Harvard Psychological Clinic, *Explorations in Personality* (New York, 1938), pp. 530–45.

Intercombination and synopsis of results from the various methods employed show that intolerance toward one minority group correlates with intolerance toward other minority groups. This rejection of everything that is "different" goes hand in hand with an undue glorification of one's own group; it is for this reason that the term "ethnocentrism" was introduced. This attitude in turn is related to a broader socio-political outlook which can be described as a kind of pseudo-conservatism, since it combines rigid adherence to the *status quo* with readiness to use force for the restoration of what is extolled as, say, "the true American way of life." Because these various attitudes are closely interrelated, such terms as "authoritarianism," "ethnocentrism," "prejudice," and "antidemocratic" attitude will be used interchangeably throughout this presentation. It should perhaps be noted that the studies, well under way before the end of the last war, concentrated mainly on the fascistic form of totalitarianism, then in the foreground of interest.

1. Clinical Description. The distinct personality syndromes of the two extreme groups, those "high" and those "low" on ethnocentrism, evolve in the main from the analysis of the interviews for which the present writer was mainly responsible. The method of evaluation represents a compromise between individual case studies and quantification.[18] As much as possible of the richness and intricacy of the material was encompassed by a number of specially instructed raters. A number of broadly conceived categories, such as submission to family and degree of aggression and repression, were set up on the basis of a preliminary survey of the interviews. Each subject was then rated on these categories by clinically trained persons who did not know whether the person in question had an authoritarian-ethnocentric or a democratic orientation; the diagnosis of attitudes toward family, sex, etc., thus was always a "blind" one.

The description which follows is a statistically substantiated composite picture; few, if any, single individuals exhibit at the same time and to a marked degree all of the traits listed under either of the two syndromes. From a psychological point of view, an overall summary of the authoritarian personality must first stress the great number of discrepancies and discontinuities—seldom conscious, to be sure—which can be found in this type of individual. The ethnocentric individual is less likely than the ethnically unprejudiced to face within himself such emotional tendencies as ambivalence, passivity, fear, aggressive feelings against parents and authorities, and instinctual impulses which are considered "bad" or immoral. Because he usually fails to integrate these tendencies with the conscious image he has of himself, he rather tends to ascribe them to the outside world and to fight them there. Closely related to this tendency is his moralistic condemnation of other people. For him the world itself comes to appear as a dangerous and hostile place, to be viewed with distrust, suspicion, and cynicism. An undercurrent of panic is evident in his fear that food and other supplies may run short and that he may be left helpless in the face of danger, which he is all too ready to anticipate. Asked to retell a story in which aggressive as well as friendly characters were described, the prejudiced children as a group recalled a greater number of aggressive characters, whereas the unprejudiced children recalled a greater number of friendly characters, than had been mentioned in the story originally read to them. Moreover, the total distortion of reality—here the original story—was greater among the ethnocentric children.[19]

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[18] See the article in two parts cited above, n.16.

It is easy to understand that persons so fear-ridden will tend to be unusually manipulative and exploitive in their relations with others. Fellow men become, to borrow a term from Otto Fenichel, mainly "deliverers of goods."[20] Thus, along with the self-centered overpersonalization of the social scene, human relationships become depersonalized. The kind of material-magic dependency just described extends not only to people and authority but also to inanimate forces; ethnocentric subjects subscribe more often to superstitious beliefs. It seems to be important for them to use devices by which they can get evil and dangerous forces to join them on their side. Such support should be considered a substitute for an underdeveloped self-reliance; and it is apparently this same feeling of helplessness, together with underlying destructive impulses, which leads the ethnocentric subject to agree more often than others with questionnaire statements which describe or predict doom and catastrophe, the spread of contagious diseases, and so forth.

The prejudiced person's attitude toward work shows an externalization similar to that just noted in his attitude toward people and animistic forces. He is indifferent toward the content of work and lays emphasis upon work mainly as a means to success and power.

Prejudiced individuals also tend to create and adopt extreme and mutually exclusive pairs of values such as dominance-submission, cleanliness-dirtiness, badness-goodness, virtue-vice, masculinity-femininity, and so forth. They consider the absoluteness of such dichotomies to be natural and eternal and so exclude the possibility of any intermediate or overlapping position. Their adherence to these delineated norms is likely to be rigid, even though it may imply restrictions and disadvantages for their own group. Thus it is that not only the prejudiced men but also the prejudiced women favor restricting women to narrowly defined fields of activity which are considered to be "feminine."

In an attempt to understand these rigidities and dependencies, we may turn to the childhood situation of our authoritarian-minded subjects. Here we find a tendency toward rigid discipline on the part of the parents. They demand that their children learn quickly the external, rigid, and superficial values which they themselves have adopted but which are beyond the comprehension of children. This insistence may be explained by the fact that faithful execution

[19] See "Intolerance of Ambiguity as a Personality Variable" (above, n. 15), pp. 123 ff.

[20] *Psychoanalytic Theory of Neurosis* (New York, 1945).

of prescribed roles and the exchange of duties and obligations is, in the families of the prejudiced, often given preference over the exchange of free-flowing affection. In telling of their parents, ethnocentric children tend to think in the category of strictness and harshness, whereas the unprejudiced tend to think primarily in terms of companionship. We are led to assume that an authoritarian home regime, which induces a relative lack of mutuality in the area of emotion and shifts emphasis onto the exchange of "goods" and of material benefits without adequate development of underlying self-reliance, forms the basis for the opportunistic type of dependence of children on their parents which is described here, and that the inherent general stereotypy is an outcome of this orientation.

However, it is of great importance that, although he tends to submit to the authority of his parents on the surface level, the authoritarian child harbors an underlying resentment against them. Along with conventional, stereotypical idealization of the parents, we find indications that the child feels, without being fully aware of it, that he has been victimized by them. Frequently ethnocentric children tend to begin, when speaking of their parents, somewhat vaguely and on a note of general admiration; but the praise will likely be followed by descriptions of specific episodes of neglect, unjust discipline and the like. Fear and dependency seem not only to discourage the child from conscious criticism of his parents but further to lead to an acceptance of punishment and to an identification with the punishing authority.

It is especially the male authoritarian who seems intimidated by a threatening father figure; and we may note here that our material shows the family of the ethnocentric individual to be more often father-dominated, whereas that of the unprejudiced is more frequently mother-centered. However, since in the prejudiced home the closeness of the parent-child relationship is based more on fear than on love, and since the punishments and rewards meted out must seem inconsistent to the child, no genuine identification with parents nor real internalization of values can be achieved.

The ambivalent submission to the parent of the same sex, especially that of the son to the father, and the ensuing latent homosexuality are often counteracted by a rigid display of the accepted characteristics of one's own sex and by repression in oneself of tendencies of the opposite sex. The prejudiced man tends to think of himself as active, determined, energetic, independent, tough, and successful in the competitive struggle. We may find here parallels to the well-known Nazi emphasis on virility. Of course, there is no room in this ego-ideal for passivity and softness, and strong defenses are accordingly erected against these attitudes in general, with the result that only their opposites are established in consciousness. Nonetheless, inclinations toward dependency and a far-reaching passivity—although they remain unaccepted and ego-alien—are evident. There is reason to speak of a sexual marginality of the ethnocentric man and to recall also the sexual deviations observed in the Nazi "elite."

In addition to the dichotomizing of sex roles *per se* by the prejudiced, we also find among them dichotomous sex attitudes in a broader sense of the term, such as the sharp opposition of "sex" versus "marriage," of "pure" versus "low" women, and so forth. This explains why the prejudiced woman clings to a self-image of "femininity" defined by subservience to, and adulation of, men at the same time that she shows evidence of an exploitive and hostile attitude toward men.

To summarize our description thus far, in our extremely ethnocentric subjects, both adults and children, we find surface conformity lacking integration and expressing itself in a stereotyped approach devoid of genuine affect in most areas of life. This tendency toward a conventional, externalized, shallow type of social relation has a generally pervasive character in the authoritarian personality. Even in the purely cognitive domain, as we shall see, ready-made clichés tend to take the place of spontaneous reactions.

2. Perception and Thinking. In the foregoing we have seen that the authoritarian personality tends to resort to black-white judgments and to unqualified and unambiguous overall acceptance or rejection of other people. In his descriptions, whether of ingroup or outgroup, of parents, or of a political leader, this individual displays both stereotypy and lack of differentiation—in short, an all-or-nothing approach. His opinions are "closed" and cannot be modified; new experiences are immediately viewed from the standpoint of the old set and are classified in the same way as the earlier ones.

The rigidity of the ethnocentric person which is implied in this presentation seems to a certain extent to be a generalized personality trait. Experiments on perception and thinking carried out with the children in our study show that stimuli which are unfamiliar, ambiguous, or subject to change are experienced by the prejudiced as strange, bewildering, and disturbing, much as they would be to a leader lacking in absolute determination.[21] Children in this group tend either to jump to premature conclusions or to hold on rigidly to a familiar stimulus and to ignore the changes that may prevail. In the retelling of the story mentioned above, the ethnocentric children reproduce literally some of the phrases but misrepresent the essence of the story more often than do the unprejudiced children. Clinging to a concrete, isolated detail of reality and overgeneralizing are two alternative ways of avoiding complexity and of making things definite at the expense of the existing facts. Indeed, with the ethnocentric child, the intolerance of ambiguity seems to pervade the solving of problems ranging from those of parent-child relationship and sex roles to simple perceptual and intellectual tasks. In the course of these attempted solutions a subtle but profound distortion of reality must necessarily take place, since stereotypical categorizations can never do justice to all of the aspects of reality.

The implication of this intolerance of ambiguity and of complexity for political behavior cannot be stressed too much. It is obvious that difficulties will be encountered in explaining democratic values to individuals who have the need for a definitely-structured social outlook and for organization in simple and clear-cut, hierarchical rather than equalitarian, terms which exclude the possibility of free and dynamic exchange of influences.

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[21] See "Intolerance of Ambiguity as a Personality Factor," pp. 126 ff.

In this connection a German psychologist, E. R. Jaensch, perhaps the foremost exponent of Nazi ideology in psychology, praises precise, firm, regular reactions which are unambiguously tied to external stimulus configurations.[22] He refers to the physics of Einstein as a type of science "without consideration of reality" and with a tendency to "dissolve all reality into theory" and contrasts this type of approach with the more desirable "concretely-oriented German physics." Jaensch misses the point that more abstract attitudes, oriented toward overall principles, often are better able to penetrate to reality than is an exclusive attention to facts in their concreteness. In our experiments with authoritarian-minded children, we were able to demonstrate that an over-respect for the concrete did not do justice to the problems and principles inherent in the conceptual tasks with which our subjects had been confronted. As was pointed out above, an over-concrete attitude often turns into over-generalization; and both are seen to be inferior approaches compared with the method of abstract thinking.

Our observations have led us to believe that the adjustment of the authoritarian person is confined to narrowly circumscribed conditions. It is precisely his extreme conformity, rigidity, and need to ascribe all his own weaknesses and shortcomings to a scapegoat which account for the restricted conditions of his functioning. In fact, Jaensch has considered adaptability and tolerance of tentativeness to be a sign of degeneration:

> In the case of racial mixture, nature has to leave everything uncertain and in suspense; the individual at birth may be endowed with nothing fixed and certain but only with the uncertainty, indeterminability and changeability which would enable him to adjust to each of the various conditions of life. The opposite is true if an individual possesses only ancestors who from time immemorial have lived in the North German space and within its population. From the biological point of view, it is not only extremely probable but certain that such an individual will live under the same environmental conditions as his ancestors. The characteristics necessary for this, therefore, may be safely placed in his cradle as innate, fixed and univocally determined features.[23]

As with many contentions of Jaensch, this one too is far from being empirically verified. Though it is sometimes true that the ethnically marginal person is more adaptable, this position often leads to greater rigidity. But we shall have to say more about this point in the following sections.

Concerning the democratic-minded person, it may suffice here to emphasize that he is generally better able to face uncertainties and conflicts, as indeed he must in order to master the physical and social realities. Readiness to recognize, to accept, and to master diversities, conflicts, and differences in oneself and in others, as contrasted with the need to set off clear demarcation lines, was found to be one of the most basic distinguishing criteria of the two opposite patterns in our studies.

3. Social-Psychological Description. We may now turn back and interpret much of what we have said about the authoritarian personality pattern in the light of a further fact, that is, his rigid conformity to cultural clichés. It must be stressed that this conformity does not consist in a genuine identification with traditional values. Our evidence points to the fact that the authoritarian person has frequently lost his roots in tradition and has made an attempt to compensate for this loss by a rather nonfunctional, forced, and rigid conformity. This surface-conformity to externalized values can be observed in a variety of spheres of life. One of the earliest expressions is to be found in his attitude toward parents. His conception of sex roles[24] is likewise highly conventionalized, with emphasis on activity, determination, toughness, and success in the masculine ideal, and on passivity and subservience in the feminine ideal; and in all personal relationships preference is given to restricted roles rather than to vaguely defined ones. Thinking in hierarchical terms—such as dominance versus submission, orientation toward power and success, dichotomizing of sex roles, and the like would have to be considered part of this conformity. In fact, most of the dichotomies which imply valuation, such as good and evil, strength and weakness, dirtiness and cleanliness, masculinity and femininity, can be seen as mirroring a conventional inventory of social clichés. The ethnocentric group, which desperately wants to "belong" and to be successful, acts as custodian of these distinctions, keeping them always in mind as the approved vehicles by which its most obsessively cherished goals may be reached.

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[22] See his *Der Gegentypus* (Leipzig, 1938).

[23] *Ibid.*, pp. 230 ff.

The moralistic conventionalism of the authoritarian personality characterizes not only the more conservative type within this group but also the lunatic fringe and the psychopathic variety. A set of interviews with the highly ethnocentric among prison inmates has shown that on certain levels this group ardently identifies itself with the prevalent conventional values and condemns ethnic outgroups on the basis of their deviations from these values.[25] These interviews show widespread preoccupation with external social goals, a preoccupation constantly directed toward the narrow and steep ascent to a higher social status. Since the individuals so absorbed tend to identify themselves with a group which is socially and economically superior to their own, it follows that their sense of belonging to the privileged groups is extremely tenuous. Their level of aspiration is often quite fantastic; in certain cases the intellectual and artistic aspirations have even less basis in reality than had those of some of the Nazi leaders. It is the discrepancy between the status aspired to and that achieved which leads to the feeling of social and economic marginality.

Because of their real or imagined marginality, some individuals feel persistently threatened with being degraded in one way or another. It is in defense against the possibility of being grouped with the underdog that identification with the privileged groups is so insistently asserted. Apparently the great number of conflicts and confusions concerning personal, sexual, and social roles are responsible for determined efforts to eliminate uncertainties in all contexts of life; yet our interview material furnishes ample evidence that chaos and violent destructiveness lurk behind the rigid surface, posing dangers to the very society to which there seems to be conformity.

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[24] For detailed exposition of the concept of "role," see Linton, *The Cultural Background of Personality*, and Parsons, *Essays in Sociological Theory*.

[25] The interviews, conducted by W. R. Morrow, are described in *The Authoritarian Personality*.

The concept of social marginality includes both sociological and psychological aspects. Authoritarianism correlates less well with actual socio-economic status (as will be shown later) than with subjective dissatisfaction with one's status; and therefore, on the basis of our material, we must expand the concept of marginality to cover sexual and physical marginality as well. In passing, we may refer to the case of a boy in our study who, though from a liberal home, reveals attitudes of extreme ethnocentrism. The interview material points to a history of illness and ensuing feelings of physical inadequacy as probable reasons for his need to assert his superiority by designating the outgroups as inferior.

As mentioned above, external criteria, especially social status, are the yardsticks by which the ethnocentric individual tends to appraise people in general; these criteria furnish the grounds on which he either admires and accepts or rejects his fellow men. The ethnocentric person tends to take cognizance primarily of whether the behavior of individuals is appropriate to alleged social roles, and tends to ignore the intrinsic values of the individuals themselves. He takes social institutions so literally that his personal orientation and behavior reflect in many ways the basic structure of certain gross features of our civilization. The relative uniformity in the personality structure of individuals in the ethnocentric group is derived from this adoption of status and role values. However, this does not mean that the behavior and feelings of these individuals represent our social institutions in *all* of their essential aspects. We have evidence that, in their reactions to perception, thinking, and memory tasks, ethnocentric individuals show great fidelity with respect to concrete details but tend to miss the overall problem.[26] A similar quality can be discerned in their interpretations of social institutions. Among other distortions, they tend to simplify the meaning of these institutions and interpret the predominant values too homogeneously and too absolutely in the direction of status values, ignoring other trends in the civilization. In the final analysis, rigid adherence to conventional values turns out to be no more than a superstructure beneath which operate many tendencies which are self-destructive of the society to which superficial conformity has been achieved.

It was, to repeat, psychoanalysis which introduced the differentiation between manifest and latent content, a distinction which is seen to be especially important for an understanding of the authoritarian personality. In the tradition of a pre-Freudian social psychology, we would have to take exaggerated conformity at its face value and would thus overlook the fact that it stems from feelings of social insecurity and resentment and that it can switch dramatically into its opposite. Both conformity and its reverse, chaotic upheaval, are considered by the authoritarian person to be useful means for gaining power, and he will give preference to whichever appears more likely to succeed.

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[26] See "Intolerance to Ambiguity as a Personality Variable," pp. 126. ff.

4. Sociological Considerations. In the preceding few pages we have begun to discuss some psychological findings in more nearly sociological language. It is now appropriate to inquire whether or not the feeling of social marginality which is so characteristic of the ethnocentric individual, is related to distinct socio-economic factors. In an attempt to determine the sociological factors in the background of the authoritarian personality, we used a variety of approaches.[27] A questionnaire was used to ascertain the political preferences, group memberships and incomes of our subjects. An analysis of the responses to questions on political party preference indicates that no relationship exists between ethnocentrism and preference for either the Democratic or Republican Party as such, but that New Deal Democrats and Willkie Republicans obtain significantly lower scores on ethnocentrism than do members of the traditional wings of the Democratic and Republican Parties. The correlation of .5, obtained with the groupings just described shows, however, that there is considerable individual variability. Further analysis reveals that in the middle-class groups the relation between ethnocentrism and political preference is much closer than in working-class groups. Different individuals seem to support a given political group for different reasons, and inquiry into the basis of selection is as important as establishing group membership. There is, furthermore, a significant difference in degree of ethnocentrism between those individuals who agree with the politics of their parents and those who disagree. As we might expect from the psychological data, the subjects who disagree with their parents on politics are significantly lower on ethnocentrism than those who agree.

Economic and social stratification may to a certain degree determine party preference, but they seem to have little to do with such social and political attitudes as ethnic prejudice. We find that members of a CIO union had a slightly higher mean score on ethnocentrism than a Parent Teachers Association group composed largely of middle-class members of a relatively high educational level. Members of a women's club were substantially higher on ethnocentrism than were a group of members of the League of Women Voters. In the latter instance, neither actual class nor educational level differentiated the two groups; but such factors as upward economic mobility, pseudo-conservative values, and the like, did.

There is a slight tendency for the lowest and highest income groups to score higher than the middle-income group on ethnocentrism, while within the latter ethnocentrism seems to decrease as income increases. These relationships, however, are so tenuous as to support the hypothesis that economic factors as such are not closely related to ethnocentrism so far as individuals are concerned. These findings are in line with those of other observers to the effect that economic factors alone are insufficient to account for the occurrence of fascist movements.[28] We must view the economic and sociological factors in the light of their meaning to the individual and to society as a whole if we are to increase their predictive value.

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[27] The material of this and the following two paragraphs is based on Ch. 5 of *The Authoritarian Personality*, prepared and written by Levinson. The remainder of the present section is based on material, as yet unpublished, from the project on Social Discrimination in Children referred to above, n.15.

Over a period of time the present writer was able to collect extended data on the socio-economic history of the families of extremely ethnocentric and of non-ethnocentric children. One of the chief purposes of obtaining this material was to see whether or not the feeling of marginality which is so important to ethnocentrism is determined by sudden changes in the socio-economic status of the families. The assumption in collecting such data was that loss of status might undermine an individual's social security and that gain in status might lead to all kinds of attempts to maintain the gain. This hypothesis has been only partially confirmed in the sense that families with a long history of privileged socio-economic status seem to be on the whole less ethnocentric than families with unstable histories; but instability of status, *per se*, goes almost as often with tolerance as it does with ethnocentrism.

For the most part the families studied had been recruited from lower-middle-class and middle-class sectors of the population. As a group, the ethnocentric families do not differ to any marked degree from the more democratic-minded families in purely economic terms, i.e., difference in income, housing conditions, number of cars, radios, etc. However, within the group studied, the few individuals whose living conditions fell decidedly below middle-class standards were mostly ethnocentric and those whose conditions were definitely above them were mostly liberal. Since the neighborhood of the schools from which our subjects were drawn would indicate middle-class identification on the part of all of the families studied, the differences in ethnocentrism which we observed may thus hinge upon the relation of level of status-aspiration to actual status rather than upon status *per se*.

Ethnocentrism also seems more closely related to the occupational affiliation of families than to purely economic factors. The parents and grandparents of unprejudiced children are significantly more often from professional fields, such as medicine, law, teaching, the ministry, etc., than are those of ethnocentric children. We may refer here to Daniel Lerner's finding that a certain proportion of the Nazi elite, especially the propagandists, were intellectuals, or, as he put it, more precisely "alienated intellectuals."[29] This is not as contradictory to our findings as it may seem at first glance. Some of our authoritarian subjects display intellectual, or rather pseudo-intellectual, and artistic ambitions which—according to their own report—they were unable to realize because they were cheated of their opportunities. However, whereas in Germany this type of pseudo-intellectual possesses a certain accepted occupational status of his own, in America he is likely to turn to some kind of substitute occupation, such as working in a garage or being a waiter, and he is therefore often listed under occupational groups other than artistic or intellectual ones. In the relatively rare cases where the father or grandfather of our ethnocentric subjects comes from one of the professions, it is likely to be the engineering profession.

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[28] So, for example, reported Reinhard Bendix in "Social Stratification and Political Power," a paper read at the Symposium in which the present one was originally presented.

[29] In "Elites: The Psychosocial Elect in Politics," another of the papers read at the Symposium on Social Stratification and Politics.

These results point to a certain relationship between education and freedom from prejudice. Information, and especially information along the lines of social science, is by no means directly related to economic factors, however. The crucial factor seems to be a certain psychological receptiveness accompanied by accessibility to facts. This is why experiments have shown that extensive information about minority groups does not markedly alter the beliefs of ethnocentric persons.

We find, furthermore, a higher percentage of non-ethnocentric families among the small merchants in our sample and a higher percentage of ethnocentric families among the workers. This circumstance may be an indication that the small merchant in America, in spite of the big monopolies, does not yet feel basically threatened. (In Germany, as we know, the small independent lower-middle-class groups contributed the greatest number of Nazi followers.) Among employees as a whole, we find an even distribution of ethnocentric and unprejudiced families. In particular, however, the salesmen, policemen, firemen, etc., are more frequently among the prejudiced, while bus drivers, accountants, and government workers are more frequently among the unprejudiced. Some of these relationships can perhaps be explained psychologically. Thus, choosing the occupation of salesman may indicate self-promoting tendencies and choosing that of policeman may reveal identification with authority and aggression, whereas choosing to be a bus driver may be related to enjoyment of this kind of activity as an end in itself.

In general, the ethnocentric individual tends toward a more unstable history of work than the non-ethnocentric. He seems to be less rooted in his daily task, and there is a greater discrepancy between aspiration level and performance. Another possible source of excessive status concern may be seen in the fact that the parents of our ethnocentric children report significantly more often than the others that their own parents were foreign born (especially Italian and German), indicating perhaps that they still see themselves as enmeshed in the process of assimilation.

While these socio-economic considerations throw some light on our problem, the fact remains that certain families or individuals accept their objective social marginality cheerfully while others develop rigid defenses against it; the latter apparently have to reject the "outgroups" in order to demonstrate that they themselves are not weak or different. Economic deprivation may be one differential factor, but there undoubtedly are others. Thus we found in our study that certain families are preoccupied with the maintenance of their middle-class status and of the social distance from ethnic minority groups who may live nearby, while other families of similar socio-economic level show no similar tendencies. At the same time the political attitudes of the two groups—similar in socio-economic history as they often are—range from extreme ethnocentrism to a stable liberalism. Perhaps the foregoing paragraphs may be illustrated by the following concrete examples, which describe the backgrounds of one of our most prejudiced and of one of our most unprejudiced children:

The socio-economic histories of the two families show great similarity. The father of the unprejudiced child, whom we shall call "Joan," had at the time of our interview just sold a small restaurant which he had come to consider a bad investment. His professional history includes managing a store, selling insurance, and working in a restaurant as waiter and cook. He is a college graduate as is his wife, a trained musician who is now a school teacher. Joan's maternal grandfather, according to his daughter, was first "a small town doctor where he was a dictator and patriarch to the population. He entered the army as a medical officer and liked the opportunity which it gave him for expressing authority." Joan's mother apparently received a great deal of warmth from her own mother, but she rebelled against her father. Joan's father was born in Yugoslavia, the son of a leader in a liberal party who was a pharmacist by profession and whose function in the community was similar to that of a doctor. Though the father's occupational history, especially as compared with that of his parents and that of the parents of his wife, could have led to a feeling of social marginality, this family actually does not seem to be dissatisfied with its present status; much of the time of its members is devoted to such pursuits as supporting the liberal causes of the community, participating in discussion groups, and so forth.

Very different are the psychological characteristics and social beliefs of another family with a similar socio-economic history. The father of "Karl," one of the most ethnocentric boys in our study, is a mechanic. Karl's mother was born in this country, and so was her father, while her mother was born in England. Karl's maternal grandfather was a doctor, as was the case with the unprejudiced Joan's maternal grandfather. But while the marriages of Joan's grandparents were stable on both sides, Karl's maternal grandmother had divorced her husband shortly after Karl's mother was born. In fact, Karl's mother had a succession of stepfathers of whom one, who was a combination of actor and coal miner, played the most important role for her. Karl's father and his own father were born in this country, whereas the child's paternal grandmother came from Germany. The paternal grandparents died when Karl's father was four years old, and his father was reared by grandparents "who were rich but not generous with their money." (They owned a large farm and a wholesale liquor store.) Both of Karl's parents had been exposed to strict discipline. Though Karl's father is a mechanic, he asserts that his occupation is only temporary since he is likely soon to make a big mechanical invention. This aspiration remains on a fantasy level since there is little evidence of any concrete work toward the goal. Similarly, Karl's mother, who works as a waitress, thinks that some day she will compose music or write a novel. She finished the eighth grade, whereas the father's education stopped even before he had reached this level. It would lead too far here to go into the details of the political beliefs of Karl and of his family; it may suffice to say that they were definitely on the fascistic side.

Future publications will include further cases in which socio-economic background fails to account for political and ethnic attitudes, along with others which can readily be understood in such terms.

III. CONCLUSION

By way of summary, it has appeared inadvisable to attempt any far-reaching compartmentalization of sociological vs. psychological description. In our psychological description we found ourselves concerned with parental figures, with authority, with child-training, mating behavior, and so forth. All of these are concepts frequently referred to by sociologists. On the other hand, we had to stress the fact that the psychological, and in particular the psychoanalytic, approach enables us to catch certain subtle aspects of human behavior which are usually by-passed in purely sociological descriptions. For example, such a formal principle as that of the closeness of opposites, first observed by Freud in discussing the vicissitudes of instincts, has been shown to be a much more general characteristic of individual behavior than was originally anticipated; it is probably applicable to societies as well. Depth psychology has challenged the dominance of the phenotype in psychological thinking and has sharpened our eyes to the underlying dynamic patterns.

Thus we found in our ethnocentric men that stress on virility goes hand in hand with an underlying passivity and receptivity which leads to the wish to follow a strong leader and to be his lieutenant. A person of this kind demands approval of, and submission to, parents, teachers, and authority in general; at the same time his underlying resentment and even hatred of such authority is only thinly disguised in his protocols. His explicit emphasis on conventional values is paralleled by a leaning toward destruction and chaos. In fact, there seems to be a vacillation between a total adoption and a total negation of the prevalent values of society; in this sense, lack of distance and too much distance from cultural values seem closely related. The avoidance of ambiguity and the need for absolutes indicate a desperate attempt to counteract internal chaos and the lack of social and personal identity. Ramifications of the pattern can be found in the prevalence of premature reduction of ambiguous perceptual and cognitive patterns to certainty by clinging to the familiar or by superimposing one or many distorting clichés upon stimuli which are not manageable in a simple or stereotyped fashion. The same tendency toward oversimplification often leads to anti-intellectualism and to the feeling that individualism, with its emphasis on uniqueness and on responsibility, is too heavy a burden.

In a society in which alternative ideologies are offered, a prediction, from psychological data, of such social and political beliefs as liberalism or totalitarianism seems to offer good chances of success. Prediction of the ethnocentrism score on the basis of the clinical interview has been fairly successful in our studies. In addition to the features already mentioned, insight into one's own shortcomings, thinking in social and psychological terms, and equalitarianism in interpersonal relations seemed intimately connected with liberalism, while externalization of one's own problems and their projection into the environment and into the social scene, as well as excessive power-orientation, seemed intimately connected with ethnocentrism. Certain personality scales correlate as high as .8 with fascist ideology.

The correlations of authoritarian attitudes with socio-economic factors as such are much less pronounced. Some relations have been found to occupational categories, as well as to the fact of having a long history of American ancestry. Particularly important in this connection is the concept of social marginality. Since this concept is best defined in terms of the relation between aspired and achieved status, it is tied to both sociological and psychological factors; and it has been extended to cover sexual and physical marginality as well. Any of these kinds of marginality will often—but by no means always—lead to overconformity and rigidity in the social, as well as in the cognitive, area.

All this is not to say that the frequency of the authoritarian personality within a given society will primarily determine whether totalitarianism as a political movement will or will not come to the fore in that society at a given time. It is not enough that a few people support such a movement; there must be mass support in the end. In our society the increasing mental standardization accompanying the processes of mass production, the increasing difficulty of genuine identification with society due to the anonymity of the big organizations and the ensuing isolation of the individual, the unintelligibility of political and social forces, the decline of the individual's ability to decide and master his life rationally and autonomously, and finally the power of propaganda machinery to manipulate—are among the most potent of the factors which might contribute to such mass support in the foreseeable future. The tradition of having a many-power system and the tradition of democracy, the readiness to criticize governmental as well as parental authorities, the resistance against oversystematization, the increased number of choices offered by technological progress, and the intensified attempt to understand the social and economic processes in their inconsistencies and irrationalities—are among the most potent preventive factors which justify an optimistic outlook.

Since every individual possesses features of the authoritarian as well as of the democratic personality, though in varying proportions, such objective factors as economic conditions and such psychological factors as feelings of dissatisfaction, helplessness, and isolation may decide the issue in a particular overall situation. Otherwise we could not understand the relatively abrupt increase of authoritarianism and ethnocentrism in Nazi Germany. We certainly cannot consider ethnocentrism, fascism, and communism as due solely to short-comings of backward and immature individuals; rather, we must see such mass movements as intrinsic in the totality of social organization. As we have stated before, it is especially the ethnocentric individual who seems to be responsive to trends within our society, to the extent that he seems culture-bound. Instead of showing individual faults, he seems to be the prototype of a member of a mass society. He has given up his personal identity and is ready to be moved by propaganda. Even his hate is mobile and can be directed from one object to another. Therefore, we overrate such an individual if we assume that his behavior is determined by self-interest, political, economic, or social. In effect, the Nazi elite acted against its own interest and in the direction of self-destruction; in this case, rational self-interest was overlaid by the need for self-glorification and for an over-estimation of the self's own strength, as well as by the corresponding need to deprecate the strength of the enemy and—characteristically—to see the enemy as effeminate.

Returning once more to the authoritarian individual in our society, we note that—strangely enough—it is this externally over-adjusted type of person who is internally much less adjusted than the democratic-minded individual. The relation of the latter to society can best be described as one of medium distance. It is true that the authoritarian character in a certain sense is a mirror of his society. Yet at the same time he over-simplifies and distorts the social and cultural realities which have shaped him, as he distorts the perceptual ones. He reacts to some of the clichés rather than to the underlying complexities of our society. For this reason his adjustments function under narrowly circumscribed conditions only. He is not adapted to change and thus lacks one of the most important requirements in all modern societies.

The individual whose relationship to society is more basic and more reliable, is at the same time one who can afford to be more critical and who can face more easily the external as well as the internal inconsistencies. So long as these inconsistencies can be faced, splitting of the personality can be avoided and a greater flexibility and integration is possible, even if this integration is achieved by nothing more than an awareness that one has to behave inconsistently. There is no way around the fact that in a democracy each citizen is called upon to accept many-sidedness, conflicts, uncertainties, differences, and complexities. But this necessity is compatible with, and even congenial to, the holding of strong beliefs in intrinsic principles of conduct, so long as these principles are broadly and flexibly conceived and alternative manifestations are permitted. Rigid adherence to an absolute dogma is a poor substitute for such intrinsic, and basically more consistent, principles; it constitutes an inadequate attempt to escape lurking chaos, cynicism, and unbridled relativism. It is for this reason that superpatriots and defenders of a rigid national code may abruptly turn to disbelief and even treachery.

Should the more individualized approach to other people and to themselves and the greater courage to be "different" which are found among democratic-minded persons be interpreted to mean that they are less interwoven with their culture than are ethnocentric individuals? We may perhaps say that the former are less rigidly culture-bound; but they are not any less determined by the general institutions of our culture than are the authoritarian personalities. Christian ethics with its emphasis on internalization, the American melting-pot ideal, the democratic tradition with its protective attitude toward the weak, the emphasis on individualism—all of these human institutions must certainly be called upon to help explain the democratic personality. Today as never before we witness a contrasting crystallization of the two patterns, although they may frequently be interwoven. Power-orientation, anti-intellectualism, externalization, hostile exclusion, rigid stereotyping, and dogmatism are on the one side; understanding, thoughtfulness, empathy, compassion, insight, flexibility, justice, reason, and scholarship are on the other.

One of the important questions facing us today is just how much ambiguity, uncertainty, and dissolution of traditional values individuals are able to face without being overcome by anxiety and by a wish to "escape from freedom," to use the term popularized by Fromm. New constructive solutions, free of recourse to oversimplification and dogmatism, will have to be substituted for discarded ones if we are to avoid putting too great a burden upon the individual. Only if we succeed in this effort can we circumvent the tendency of certain individuals to compensate for their own personal impotence by erecting the image of an all-powerful leader and by attaching themselves to a doctrine which promises an absolute and all-embracing answer to their confusions.

AMERICAN COUNTY GOVERNMENT: A MID-CENTURY REVIEW

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Government in the United States is in considerable part local government, and of all local governmental units the county is most widely prevalent. Every state has counties (they are called parishes in Louisiana); in all states but Rhode Island the county is organized for governmental purposes; and, notwithstanding the existence of some areas without county organization,[1] county government may be said virtually to blanket the nation. A generation ago, in a sub-title to one of the earlier books on the subject, the county was characterized as the "Dark Continent" of American Politics.[2] Now, at mid-point in the century, it seems appropriate to reëxamine the county with a view to determining the extent to which the backward institution of the early 1900's has since been modernized and the directions in which further improvement may reasonably be expected in the future.

I

Perhaps most striking, in a comparison of present-day counties with those of a half-century ago, is the fact that, in total number of organized units (now 3,051) and in geographic outline, the county setup remains practically unchanged. Most present-day counties were established well before the turn of the century and, by and large, subsequent boundary changes have been few and of minor nature. A map of the nation's counties as of today would be scarcely distinguishable from one portraying the counties as of 1900 or even earlier. Small counties created when communication, transportation, and administrative techniques were in a primitive state have continued to the present, notwithstanding phenomenal advances in the scientific, social, and economic fields.

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[1] The Census Bureau reports, as of 1942, 40 areas lacking county government and 10 "county governments not independently organized." The former include: 26 "independent" cities—Baltimore, St. Louis, and 24 Virginia cities—located outside of counties and administering functions performed elsewhere by counties; Rhode Island's 5 counties, which are without county government; 5 unorganized counties in South Dakota, which are attached to neighboring counties for governmental purposes; the District of Columbia; and 3 Yellowstone Park areas—one each in Idaho, Montana, and Wyoming. Included in the classification of county governments not independently organized are those of 8 metropolitan counties—Suffolk (Boston) in Massachusetts, Philadelphia in Pennsylvania, Orleans parish in Louisiana, and the 5 counties within New York City—which retain some county offices but have become merged for most purposes with their central cities; and the city-county governments of San Francisco and Denver, which operate primarily as municipalities (United States Bureau of the Census, *Governmental Units in the United States: 1942* [Washington, Government Printing Office, 1944], p. 4).

[2] H. S. Gilbertson, *The County: The "Dark Continent" of American Politics* (New York, National Short Ballot Organization, 1917).

Students of government have long believed that economy and efficiency in local affairs might be advanced by a carefully-planned program of county consolidation. Merger of rural counties should provide local units of sufficient size to permit the employment of modern administrative practices and to possess enough taxable wealth to support adequate services. Combination of a poor rural county with an urban neighbor should provide the rural area with better local services, and at the same time reduce the tax burden therein without unduly increasing that of urban residents. Studies of the possibilities of county consolidation have now been made, under varied sponsorship, for most states, and in some instances these studies have resulted in concrete proposals. Nevertheless, virtually nothing has actually been accomplished in the direction of consolidation, and this notwithstanding the fact that constitutional and statutory provisions in many states at present authorize voluntary merger. Two Tennessee counties were consolidated in 1919, and three Georgia counties were merged into one in 1932, but these constitute the only instances of consolidation of organized counties[3] in the past half-century.

Reasons for failure to effect voluntary consolidation are readily understandable. Residents of a county that stands to lose its identity through merger will often oppose consolidation from a sense of local loyalty or pride. Office-holders in such a county, together with their families and friends, are likely to present a united front in opposition. Tradesmen in the municipality which would lose its status as a county seat will be prepared to go to almost any length to prevent removal of the county offices and the consequent diversion of business to neighboring communities. County officers and employees are commonly among the best customers of county-seat merchants and service establishments, and even more important may be the patronage of rural residents drawn to the county seat by taxpaying and other county business. So heavily does the trade of some county seats depend upon the presence of the county offices that their removal would practically sound the death knell of the community's economic life. Under such circumstances, it is not surprising that the county-seat problem in itself is frequently sufficient to defeat proposals for voluntary county merger. Where the proposal is for attachment of a poor rural county to a more prosperous urban neighbor, the advantages to rural dwellers in the form of better services and reduced taxes may, on occasion, overcome opposition from the usual sources. In such case, however, the merger proposition may be blocked by urban residents prepared to oppose even a small increase in their tax bills when this constitutes, in their estimation, a "subsidy" to the rural area.[4]

Considering the numerous sources of opposition to voluntary consolidation, and the past record of failure, it seems scarcely likely that substantial progress in this direction will be made in the foreseeable future. Nor does compulsory consolidation offer much greater promise. Legislatures are in some instances hedged about by constitutional restrictions on their power to effect consolidation and, even in the absence of such limitations, are not apt to take action in the face of local opposition. Members of legislative bodies are anxious not to offend their constituents by supporting unpopular measures. Furthermore, counties in many instances constitute legislative districts, and legislators generally hesitate to take action which will result in a change in the areas from which they must seek election. All in all, consolidation, regardless of its theoretical desirability, offers little immediate hope as a means of solving the problem of the small county. Those interested in the improvement of county government would therefore seem well advised to waste little time or effort in the support of consolidation but to concentrate rather on more practicable means, such as internal reorganization and the consolidation of functions.

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[3] Two of South Dakota's five unorganized counties were consolidated into one in 1943.

[4] Tennessee, when authorizing consolidation of rural James county with urban Hamilton (the merger in that state which was ultimately effected), provided for referendum in James county only, making consolidation compulsory upon Hamilton when approved by the voters of James.

A form of consolidation which has been effected in some urban communities involves the merger of city and county governments. Highly urbanized counties may have the population and wealth necessary for the support of a county government; but the concurrent existence in such areas of both county and municipal institutions leads to conflicts of jurisdiction, duplication of personnel and activities, and undue expense. A single "consolidated" government for the performance of both city and county functions simplifies governmental organization and should promote both efficiency and economy in the conduct of local affairs. Consolidated city-county governments have existed for many years in Baltimore, St. Louis, Denver, San Francisco, and the larger municipalities of Virginia; and partial merger of municipal and county offices has been effected in several other cities. In the late 1940's a consolidated city-parish government was provided for Baton Rouge, Louisiana. Several proposals for city-county consolidation have been defeated in recent years, in some instances at the state level when presented in the form of constitutional amendments and in others by the local electorate. However, the obstacles to this type of merger are generally less formidable than those encountered by proposals for consolidation of counties, and a number of urban communities scattered about the country are currently reported as showing serious interest in the plan. Though its widespread adoption in the near future seems unlikely, city-county consolidation at the moment gives more promise as a practicable means of improving local government in urban communities than does outright county consolidation as a means of improvement in rural areas.

II

A major obstacle in the path of county progress lies in local dependence on the state for approval of improvement measures. Like other local units, the county is a creature of the state and subject to plenary state control. This status means that, save in so far as such matters are governed by constitutional provision, the state legislature is sole determiner of county organization and powers. In practice, legislative discretion is limited in many states by constitutional provisions directing the election of various county officers and requiring uniformity in the forms of organization provided for counties. Thus outmoded forms of organization are, to a considerable extent, saddled upon counties by state constitutions and they are, therefore, beyond the reach of statutory action. But even in matters where their discretion is unrestrained, state legislators have been slow to act in the interest of county modernization.

Home rule, in the sense of constitutionally granted authority to frame and adopt local charters and thereby determine local organization, has made less progress in the case of counties than in the municipal field. Whereas more than a third of the states have adopted constitutional provisions conferring home-rule powers upon some or all of their cities, only a half-dozen have made similar provision with respect to counties. In these six states[5] some two hundred counties are accorded charter-making authority, but in only a dozen—ten in California and one each in Maryland and Missouri—have charters actually been adopted. A few other counties have drafted charters which were subsequently defeated by the local voters, but popular interest in home rule has not been generally widespread even in those counties where the privilege is available. Furthermore, such local interest as has been evident has been confined almost exclusively to populous counties of urban or suburban character. Of the twelve counties now operating under home-rule charters, only two might, by any stretch of the imagination, be considered as rural.

Also to be noted is the fact that county home rule, as it exists today, is limited almost exclusively to self-determination in matters of organization and does not include a substantive grant of regulatory power over local affairs. Moreover, even the grant of authority to determine governmental organization is not in all cases unlimited, since some of the home-rule provisions still require the election of designated county officials. Constitutional provisions for municipal home rule, in contrast to those relating to counties, normally carry, in addition to authority to determine the form of local government, a broad grant of power to charter municipalities to govern themselves free from state interference in matters of local, as distinguished from those of statewide, concern. The limitation of county home rule to matters of organization is perhaps not surprising when it is recalled that quasi-municipal corporations like the county, to a larger degree than municipal corporations proper, are considered to be mere subdivisions of the state, with functions confined for the most part to matters in which state interest is paramount. In any event, it is significant that county home rule is less extensive than municipal, not only in geographic application but also in embracing a narrower grant of authority.

Somewhat more widespread than constitutional home rule for counties is statutory provision of alternative forms of government which individual counties may adopt by popular referendum. During the last two decades a number of states, usually pursuant to enabling amendments relaxing constitutional requirements of uniformity, have enacted such optional legislation. Virginia, for example, in the early 1930's offered counties the manager plan and a variant "county executive" system as alternatives to the traditional form of government, and more recently has provided an additional option. New York has a considerable variety of optional forms of county organization. North Dakota, in 1941, provided that any county might retain its existing organization or adopt any of three new forms—a "consolidated office" form, a manager form, and a "short form" of county managership—the last especially designed to meet the needs of the rural county of small population. Several other states now authorize optional forms in varying number, some merely providing the manager plan as an alternative to existing organization. As would be expected, actual adoption of the newer forms of county government, where offered, has been slow; yet some progress is being made in various states. Though home rule affords a larger degree of flexibility and seems particularly desirable for urban counties and city-counties of large population, a sensible program of optional laws would appear to meet the needs of the great majority of counties.

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[5] *The home-rule states and the dates of their respective enabling amendments are:* California (1911), Maryland (1913), Ohio (1933), Texas (1933), Missouri (1945—new constitution), and Washington (1948).

Concurrently with home-rule provisions and optional legislation has developed a marked expansion of state administrative control and supervision over county government. Ranging all the way from the mere giving of advice or information to direct administration of local services, state supervision and control are provided by executive and administrative agencies of almost infinite variety and concern both procedural and substantive matters. Though the control programs developed by some states are much more comprehensive than those of others, there is probably today not a single state that has failed to take some action of this nature. Most fully developed in such fields as welfare, education, health, highways, and finance, state supervision nevertheless touches almost every phase of county activity.

A major factor in expanding state administrative control has been the development of state-aid programs. When state funds are made available to counties for highway, welfare, or other purposes, it is usually on a conditional basis and with provision for supervision and inspection to assure that state standards are met. Federal aid to the states has, of course, been employed as a means of gaining national control over state activities otherwise outside national jurisdiction. In view of the plenary power possessed by the states over their subdivisions, state standards, in contrast, might be imposed upon the local units compulsorily and directly, rather than offered for "voluntary" acceptance in return for financial assistance. The monetary element, however, tends to render control less distasteful and hence politically more feasible, a fact which may well explain the widespread use of state aid as a control mechanism.

State control programs, especially at their inception, have at times engendered antagonism on the part of local officials and citizens as being violative of "home-rule principles." Ultimately, however, most of the programs appear to have gained local acceptance, and some of them enthusiastic approval. Though the quality of control administration has not been uniform, many of the state agencies, when headed by competent personnel and provided with adequate staff and funds, have been able to carry on their work in a highly satisfactory manner. On the whole, it appears that the effect of state administrative control on county government has been gratifying rather than disappointing.

III

Though county-government organization remains generally archaic, improvement has been made in recent years in a substantial number of counties. Students of local government would probably agree that the most serious single weakness in traditional forms of county organization is the lack of a county executive—an individual officer charged with general oversight of an integrated administrative system. A beginning in the direction of meeting this need has now been made. Sixteen counties in eight states have been provided with appointive managers having sufficiently broad administrative authority that they have been accorded "recognition" by the International City Managers' Association.[6] These manager plans have been established in some instances by home-rule charter provisions, in others by adoption of optional statutes, and in still others by special statutes enacted at the request of local residents. Counties in somewhat larger number have what may be called *quasi* managers—appointive functionaries vested with some of the powers normally accorded managers but failing in one or more respects to meet the standards of the managers' association. These vary all the way from the "chief administrative officer" of Los Angeles county, California, who has practically all the usual powers of a manager save that of appointing department heads, to executive secretaries of county boards endowed with only a few managerial functions.

Several counties have been provided with elective chief executives vested with administrative and legislative powers similar to those ordinarily possessed by the mayors of cities. Examples are Cook county, Illinois, which for many years has had an elective "president of the county board" with appointing and veto authority; Nassau and Westchester counties in New York, which were provided with elective executives in the 1930's; and St. Louis county, Missouri, which provided for an elective executive, called the "county supervisor," in its home-rule charter adopted in 1950. Finally, there are a number of states where, in some or all counties, a degree of supervisory authority over administration is exercised by one of the traditional elective officers. This supervisory power is possessed in varying degree, for example, by the county clerk in Wisconsin, by the auditor in Indiana, by the Georgia county ordinary, and by the Arkansas county judge.

Save for the outright managers, the stronger *quasi* managers, and the elective executives, these various officials can scarcely be considered as genuine chief executives. Yet they constitute evidence of a recognition of the need for administrative integration at the county level, and in some instances of a willingness to accept a half-loaf when the whole is not available. Considering the opposition commonly encountered by proposals for manager government—the very name, because of its business analogy, carries opprobrium in labor and agricultural circles—and the gains that may be achieved under other forms of executive office, it seems unfortunate that those interested in improving county organization have so often insisted that nothing short of an outright managership will suffice. From the standpoint of practicability, schemes involving less of a break with tradition deserve more serious consideration than they have received in the past, and this is particularly true of the elective-executive plan. Strong-mayor government is quite generally recognized to be one of the better forms of municipal organization, and there seems no reason to conclude that a similar system is ill adapted to use by counties.

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[6] International City Managers' Association, *The Municipal Year Book: 1951* (Chicago, 1951). The states having manager counties, and the number in each, are: California (3), Georgia (1), Maryland (2), Montana (1), New York (1), North Carolina (2), Tennessee (1), and Virginia (5).

In those counties that have been provided with a reasonably strong executive officer, there has usually been some shortening of the ballot and sometimes also the inauguration of a merit system. Elsewhere, the long ballot and the spoils system all too generally continue to prevail. In addition to members of the county governing body, there is still to be found in most counties a considerable list of officers whose election is required by constitution or statute. Most common among these elective offices are those of sheriff, coroner, clerk, treasurer, recorder or register of deeds, attorney, surveyor, superintendent of schools, and assessor, though others in considerable variety are found in different states. Not only should most of these offices, if retained, be made appointive,[7] but their very number is in many instances excessive for small rural counties. In a few states, among which California is especially noteworthy, there has been some consolidation of offices, with the result that rural counties have been enabled to combine two or more part-time jobs into a single full-time position.[8] As yet, however, only a bare beginning has been made in this direction, though such mergers might well constitute a significant element in a program of county simplification.

Notwithstanding some progress in county personnel administration, some ninety per cent of the country's counties still lack even the form, to say nothing of the substance, of a merit system. Of the ten per cent that are provided with civil service machinery, some have their own civil service commissions, but the majority are served by state personnel agencies. Only New York among the states requires that every county have some form of merit system. Extension of the merit principle thus remains one of the foremost requirements in any program of general county reform.[9] As a means of serving the needs of small rural counties, state administration of the personnel function offers many advantages but affords little promise of general use as long as many of the states themselves are without civil service agencies. One encouraging development has been the establishment in several instances of state-administered retirement systems for county and other local employees. And since amendment of the Social Security Act, in 1950, to permit extension of federal old age and survivers' insurance to state and local employees not already covered under existing retirement plans, many states have enacted enabling legislation authorizing their local units to avail themselves of this privilege and a number of counties have placed their employees under the federal program.

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[7] Under the setup now existing in most counties, appointing authority would best be vested in the county governing board except that law-enforcement officers, perhaps, might be state-appointed. With the establishment of a chief county executive officer, the local appointing power should, of course, be largely centralized in his hands.

[8] See John C. Bollens, "Administrative Integration in California Counties," *Public Administration Review*, Vol. 11, pp. 26–34 (Winter, 1951).

In states where county governing bodies consist of representatives of townships or other civil subdivisions, the size of the board membership is frequently excessive. Many boards in these states have twenty-five or more members and some have more than fifty. Boards of such size are clearly too large for administrative purposes. As a matter of practical necessity in such cases, the tendency is for the boards to set up committees for supervision of the respective services and for board action to degenerate into perfunctory approval of committee decisions. Not only is the large board unwieldy in matters of administration but, being composed of representatives of subdivisions, it falls ready prey in matters of policy determination to the log-rolling tactics characteristic of legislative bodies so constituted. Were provision generally made for a chief executive officer, the county board might be stripped of its administrative duties and made a strictly legislative body for which a large membership would be less serious. But as long as the one governing body combines administrative and legislative functions, a small board with members elected at large would be preferable in most instances to a larger body with membership constituted on a district or subdivisional basis. The small board is better adapted to administration, is more economical from the standpoint of overhead costs, and in the large majority of rural counties, where interests are more homogeneous than diverse, should be adequately representative for such legislative determinations as fall to the lot of county government.

IV

County functions, since the early years of the century, have expanded markedly both in number and in variety. The traditional list of functions—law enforcement and judicial administration, road construction and maintenance, poor relief, recording of legal documents, and, in some states, school administration—has been augmented in two principal ways: (1) by the addition of functions newly undertaken by government, and (2) by transfer to counties of functions previously performed by townships or other minor subdivisions. Typical of the newer fields of activity opened to counties in various states are those of health protection, hospitals, ambulance service, agricultural aid, conservation of natural resources, weed control, predatory animal control, fire protection, veteran services, libraries, parks and forests, playgrounds and recreational centers, planning and zoning, advertising and developmental activities, airports, housing, utility services, liquor dispensaries, harbors, markets, civilian defense activities, and the regulation of liquor establishments and amusements in unincorporated areas. Though the present-day list of county functions is substantial even in rural counties, it is naturally longest in counties of an urban or metropolitan character. The Citizens' Governmental Research Bureau of Milwaukee has recently reported that the Milwaukee county board of supervisors, which a century ago handled only 36 different services, is today responsible for more than 200. And in Los Angeles county, California, county functions are reported to have increased in number from 22 in 1852 to approximately 784 in the mid-1930's.[10]

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[9] State and local employees administering federally subsidized programs of public assistance under the Social Security Act are required by the federal law to be under the merit system. Where counties participate in the administration of such programs and general civil service provisions do not exist, special merit systems are provided for county welfare employees engaged in this work.

In the shifting of functions from smaller to larger units which has characterized American government in recent decades, counties have lost some and acquired others, but with the overall result a net gain. The function most frequently involved in these transfers has been the construction and maintenance of highways. In Delaware, North Carolina, West Virginia, and most of the counties of Virginia, all county roads have been transferred to the state for financing and administration. On the other hand, the county highway function has been expanded in a larger number of states by the transfer to county jurisdiction of roads formerly maintained by townships or road districts. In some states, such as Indiana and Michigan, all township roads have been transferred to the counties and the smaller areas completely eliminated as highway units; in others, such as Kansas and Texas, individual counties, acting under optional legislation, have adopted the county-unit plan of administration and assumed responsibility for all township or district roads; and even in areas where the township is retained as a road unit, there has been a substantial shift of mileage from township to county highway systems. Today approximately half of the nation's total highway mileage is under county jurisdiction as compared with perhaps a fourth, or less, thirty years ago.

Apart from highways, and the assumption of some county welfare services by certain states in connection with their Social Security programs, there has been no major shift of county functions to the state. With the establishment of state police forces, it is true, state law-enforcement activities in rural areas have undergone some expansion, but there has scarcely been an actual transfer of functions. The state police in some states are limited in jurisdiction to enforcement of the motor vehicle laws, a function unknown to early county government; and, even where the state force is endowed with authority to enforce state law generally, its activities tend to supplement rather than supplant the work of the sheriff and other county law officers.

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[10] Citizens' Governmental Research Bureau, *Citizens at Work* (Milwaukee, 1950); Los Angeles County Bureau of Efficiency, *Growth of County Functions, Los Angeles County, California, 1852 to 1934* (Los Angeles, 1936).

On the other hand, transfers of functions to the county from its subdivisions have been numerous. In some instances, justice-of-the-peace courts serving townships or magisterial districts have been abolished and their duties vested in county magistrates. This change has been made on a statewide basis in Virginia and Missouri, and in certain counties of Tennessee and several other states. Another function that is being steadily transferred from townships or other minor subdivisions to county jurisdiction is the assessment of property for taxation purposes. Finally, examples are not wanting of the transfer of *all* township functions to the county. Thus Oklahoma, in the 1930's, eliminated township government completely by depriving townships of the taxing power and transferring their functions to the counties; and in Minnesota and North Dakota some townships have been deorganized and their functions transferred. Experience where township government has been eliminated, and comparison of local services and costs as between township and non-township areas elsewhere, suggest that, outside New England, townships and other civil subdivisions, wherever they exist, should be abolished and their functions transferred to the county.[11] Though efforts to abolish these subdivisions encounter obstacles somewhat similar to those in the way of county consolidation, they are scarcely as serious, since the subdivisional governments have never possessed the institutional vigor of counties and sentimental attachment to them is less strong.

With the growing use of special-purpose districts, county functions have at times been transferred to the *ad hoc* units. Frequently, however, the functions conferred upon special districts have been from among the "newer" services never generally performed by counties. In other instances the districts concerned have been formed merely as a means of enabling two or more counties to perform jointly some common function; and in still others special districts, coterminous with individual counties and sometimes administered by the county governing board, have had as their purpose the supplying of a local service which, for financial or other reasons, would not otherwise be available to the county residents. Under the latter set of circumstances, the special district may be considered as in reality a mere adjunct to the county government rather than an autonomous and competing unit. All factors considered, counties seem not to have suffered any serious loss of functions to special-purpose districts.

V

Along with governmental costs generally, county expenditures have undergone a phenomenal rise, amounting currently to upwards of two billion dollars annually. To meet these rising costs, property taxation has been increased and state-aid programs inaugurated. The local property levy, once almost the sole source of county income, continues to hold first place in the revenue picture, producing about half of the total, but another third or more now comes from the states as grants-in-aid and shared taxes. State-aid funds, however, are usually earmarked for the support of specified services; and there has been little disposition to confer upon counties authority to impose the newer taxes and service charges that are being used more and more extensively by municipalities. As a consequence, heavy reliance must still be had on the property tax for general county purposes; and, faced with both legal tax limits and taxpayer resistance to mounting levies, many counties are today hard-pressed to meet their revenue needs.

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[11] In New England, where the town has always overshadowed the county as a local-government unit, any effort to simplify the local pattern by eliminating one layer of government would logically be directed at the county rather than at the town. Significant in this connection is the fact that the 1951 Connecticut legislature very nearly enacted a bill to abolish county government in that state.

Unless county services are to be substantially curtailed, which appears unlikely, additional revenue must be made available to county governments through further state aid, increased local taxation, or both. Though it is not impossible to raise additional sums from property taxation, any major program in this direction seems scarcely feasible. As long as counties are denied the privilege of levying such lucrative non-property taxes as those on sales and incomes, it is only reasonable to expect the states to pass on to the local units, as state aid, a generous share of their own revenues from these sources. But state aid already constitutes a third of all county revenue, and undue reliance of local governments upon state financing is hardly conducive to appropriate thrift and responsibility at the local level. It seems to be time, therefore, to authorize counties to impose some of the newer non-property levies for their own use. Where this step results in the same tax being used by both state and county, the local levy might well be considered as merely supplemental to that of the state, to be administered and collected by the state revenue agency along with the state levy and the proceeds, less collection costs, to be remitted to the county treasury. Such a plan would avoid duplication of administrative activities, and lessen annoyance to taxpayers by eliminating the necessity of double returns.

In county financial procedures there has been improvement here and there, though nothing resembling a general overhauling. Systematic budgeting continues to be a crying need in county government. Several states have enacted county budget laws, but in some instances these do nothing more than require the adoption of a comprehensive annual appropriation ordinance. Though even this requirement, if actually complied with, would assure a degree of financial planning, it falls far short of an adequate budgetary program. Moreover, those familiar with the realities of county administration are well aware that statutory provisions of such nature are frequently disregarded in practice. Budget officers or commissions of various types have been provided in a number of counties, and it is a fairly common practice for the county clerk or the finance committee of the county governing board to prepare a so-called budget ordinance for presentation to the board. In the relatively few counties that have been provided with central executive officers, appointive or elective, it is usual for that officer to be charged with budget preparation. However, the general lack of such an officer has, in itself, prevented any widespread application to counties of the genuine principle of executive budgeting. Where county budget forms are prescribed by a state agency, or budgets must be submitted for state approval, there appears generally to have been some improvement in budgetary practices, though at times the state supervisory functions are performed in a perfunctory manner.

Most counties continue to purchase materials and supplies in piecemeal fashion and largely at retail prices, though a few have centralized their purchasing. Particularly advantageous to small counties is the practice now followed in certain states of permitting counties to buy through the state purchasing department. County accounts are commonly kept in haphazard fashion, although state-prescribed forms have raised the standards somewhat in various states. A few states, but all too few, require regular reporting of county fiscal data to a central state agency, where they may be compiled and made generally available for comparative purposes.

Still lacking in the vast majority of counties is proper provision for an independent post-audit. Where there is an elective county auditor, that official is rarely restricted to the post-audit function. In some instances he is limited to pre-auditing, a function to which the elective office is ill-suited, and in others he is charged with some combination of pre- and post-audit duties, thus being placed in the anomalous position of examining his own accounts. Under the widespread plan of having the audit performed by private accountants engaged by the county board, the appropriation for the task is frequently insufficient to provide for more than a cursory examination. In general, county auditing appears to be most satisfactory in those states where the task is performed by the auditing staff of a state administrative agency. State auditors are in a position to advise and assist inexperienced local officers in matters of bookkeeping procedure, and regular state audits afford a strong deterrent to malpractice. A more general use of state auditing, particularly as applied to smaller counties, seems clearly desirable as a means of improving accounting practices and reducing defalcations.

VI

One of the most encouraging developments in local government during the past two decades has been the spread of functional consolidation—the cooperation of two or more local units in the performance of specific functions. Cooperative action of this sort, as it relates to county government, may take place between a county and one or more neighboring counties or between a county and one or more subdivisional units—townships, school districts, municipalities, *et cetera*—within its borders. Though sometimes effected through organization of special-purpose districts, interlocal cooperation of this nature is now more commonly provided through the more simple and flexible device of the interjurisdictional agreement. By means of such an agreement, when authorized by constitutional or statutory provision, two or more local units of the same or different types, through action of their respective governing bodies or by popular vote, may provide for the cooperative performance of a function or functions common to the units involved. The agreement may establish machinery and procedures for the *joint* administration and financing of the service concerned, or may stipulate that one party to the contract shall provide the service for the other or others in return for a designated consideration.

Functional consolidation offers a means of securing some of the benefits of geographic merger where the latter is not desired or is impracticable. In the matter of public health, for example, many rural counties have neither the population to require the services of a modern health department staffed by full-time professional personnel nor the taxable resources to support it. By pooling their needs and resources in the establishment of a bi-county or multi-county department, two or more such counties may provide the desired population and at the same time the ability to finance adequate health service with no undue tax burden. In populous communities the establishment of consolidated city-county departments serving both urban and rural inhabitants may further both economy and improved health services, particularly in the rural areas. Situations not unlike those in the health field frequently exist with respect to various other local services as well.

Authorizations for cooperative performance of specifically designated local services have been numerous, and in many instances functional consolidation has actually been effected through the formation of special districts or by inter-jurisdictional agreement. Health protection, welfare services, recreation, libraries, property assessment, tax collection, fire protection, almshouses, and jails, are but a few of the functions now administered in one or more instances on a bi-county, multi-county, or city-county basis. In the last decade several states have given signal recognition to the potential advantages of functional consolidation of the contractual variety by conferring upon local governments "blanket" authority to enter into agreements for the cooperative performance of virtually *any* function common to the contracting parties. Though it is still too early to determine the extent to which this broad authority will actually be used, there seems to be little doubt that functional consolidation is destined to play an ever larger role in local administration.

VII

In overall appraisal, the first half of the twentieth century must be considered as a period of progress, albeit slow and halting progress, in the field of county government. Functionally, the county is of greater importance today than a generation ago, and expansion of the services provided by its government appears likely to continue. As townships and other minor subdivisions continue to be deorganized or abolished, the county will be the logical heir to functions now performed by those units, and additions from these sources will further enhance the county's position.

Through constitutional home rule and optional-charter statutes many counties have been accorded substantial freedom in determining their forms of organization. At the same time state administrative control has been applied to counties on a broad basis, with the general result of improving the tone of county government. Intercounty cooperation in the performance of particular functions has in many instances afforded some of the benefits of county consolidation without the necessity of physical merger.

Chief executive officers, appointive or elective, have been established in a few counties, with provision for such an officer ordinarily being accompanied by some shortening of the ballot. Without providing for a genuine executive, other counties have achieved some degree of administrative integration by vesting supervisory authority in one of the traditional county officers. The merit system has been established in perhaps ten per cent of the counties, and a small beginning has been made in office consolidation.

State-aid programs have afforded local property-owners some tax relief, though further augmentation of county revenues from non-property-tax sources is urgently needed. Improvement in county budgeting, purchasing, and accounting practices, if spotty, has nevertheless been significant, especially where provision is made for state assistance or supervision. State audit of county accounts has been introduced in several states with gratifying results.

Basic weaknesses of county organization have recently been aggravated by population shifts. Though the need for reorganization is general, it is most acute in counties of two categories: (1) sparsely populated rural counties wherein the "standard" organization commonly prescribed by state constitutions becomes top-heavy and financially burdensome; and (2) densely populated urban counties wherein the same organizational setup may, in some respects, be inadequate and, in others, duplicate municipal agencies. During the decade of the "forties," notwithstanding an overall increase in the national population of more than 19 million inhabitants, half of the nation's counties actually suffered population losses.[12] For the most part, the people leaving these rural areas have moved to the cities and their suburbs, and thus there has been an increase in the number of counties in each of the two categories where reorganizational needs are greatest. While present population trends continue, they will serve to intensify further the need for governmental improvement in both rural and urban counties.

If, as is the thesis of this article, county reform, though under way, is still in its infancy, it is appropriate to inquire concerning the means by which improvement may best be continued and its tempo increased. What is most needed from here on, in the opinion of the present writer, is not additional experimentation with untried formulas, but rather a further application of principles and techniques already tried and proved successful. Among such measures the following, all considered at previous points in this discussion, deserve inclusion in any blueprint for a general program of county reorganization: (1) consolidation of county and city governments in highly urbanized areas; (2) granting to populous counties and city-counties, by constitutional provision, of authority to frame and adopt their own charters; (3) provision for the diverse organizational needs of other counties through optional-charter statutes; (4) more general use of state administrative supervision over counties; (5) replacement of large county governing bodies elected by districts with small county boards elected at large; (6) provision for a chief county executive officer, appointive or elective, with general supervisory authority over county administration; (7) shortening of the county ballot; (8) extension of the merit system, with state civil service commissions authorized to provide personnel services for counties upon local request; (9) reduction in the number of county offices through office consolidation; (10) more widespread use of interlocal cooperation, particularly through the device of the interjurisdictional agreement, in the performance of county functions; (11) deorganization or abolition of townships and other civil subdivisions of the county and transfer of their functions to the county government; (12) enlargement of the power of counties to raise local revenue from non-property tax sources; (13) authorization of counties to make major purchases through state purchasing agencies; (14) improvement of county budgeting and accounting practices, and more extensive state auditing of county accounts.

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[12] Roy V. Peel, "Political Implications of the 1950 Census of Population," *Western Political Quarterly*, Vol. 3, pp. 615–619 (Dec., 1950).

VIII

Proposals for the abolition of counties and the transfer of their functions to the states have not been entirely wanting but apparently have attracted little serious support. Such a step would mean, except in New England, abandonment of the principal unit of local government in rural America, and most students of governmental problems would doubtless deprecate the centralization that such a step would involve. Some governmental subdivision in rural areas seems clearly desirable as an administrative arm of the state and an agency for exercising at least limited powers of policy determination in matters of local concern. To serve these purposes, the county is firmly embedded in English and American tradition and retains today a position of first-rate importance among our political institutions. The first half of the twentieth century has pointed the way to various measures through which the traditional county may be modernized to serve present-day needs. It is the task of the second half of the century to press ever forward the frontiers of reform.

RECENT AMERICAN POLITICAL THEORY

The following essays in American political thought are presented in honor of Professor Francis W. Coker, who recently retired from active service in the Department of Political Science at Yale University. It was the original intention of a group of his former graduate students to do something on a more elaborate scale, but the project foundered on the shoals of the tensions and insecurities of the cold war, with normal work schedules disrupted by the military call-up and by transfers into and out of the civil service. Professor Coker has had a long and distinguished career in American political science, as a scholar and author, as chairman of his department, and as an active member of the American Political Science Association, of which he served as President in 1935. But he is best remembered by his graduate students as a relentlessly intelligent teacher, as a constructive critic, as a kindly gentleman, and as a friend always interested in their work and in their progress. They often recall his seminar in political theory, its range and depth, its careful scholarship, and above all, its concern with moral questions. It is hoped that the publication of these essays will convey to Professor Coker some small measure of the respect and affection which his former students acquired during their pleasant years in New Haven.—DAVID FELLMAN.

DEVELOPMENT OF THEORY OF DEMOCRATIC ADMINISTRATION

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In recent years various theories of "democratic administration" have been developed. These theories differ in their origins, their motivation, their sophistication. Some have been crudely forged in the heat of administration; some are finely-machined products of scholarship. Some pertain especially to private administration, others have been developed for public administration, while still others cut across this conventional division.

These theories of democratic administration constitute a significant development in political thought. However crude and limited some of them may be, they open new areas to be explored in the development of democratic ideology; whatever their limitations, they are constructive efforts to adapt an ethic in which we believe to the contemporary world. If administration is indeed "the core of modern government," then a theory of democracy in the twentieth century must embrace administration. I wish to sketch the background of administrative thought and history against which theories of democratic administration are seen in perspective; to review briefly some of these theories;

and to comment upon the prospects and problems of the further development of theory of democratic administration.

I

It is necessary first to deal with a problem of meaning: what is democracy? The problem of definition and meaning is important because the new theories reject old meanings and propose new ones. Moreover the new theories, though all claiming the title "democratic," are certainly heterogeneous and probably not fully reconcilable.

Students of political institutions divide into "strict constructionists" and "loose constructionists" on the meaning of democracy. The late Professor E. M. Sait's treatment of democracy in his *Political Institutions: A Preface* is an excellent "strict" treatment. Democracy, according to this view, means—no more and no less—the institutions, such as representative assemblies, associated with the name in the past. This approach to the definition of democracy cannot be proved "wrong." It no doubt leads to greater precision of terminology at one level of discourse, and provides a useful forensic tool.

This essay, however, assumes the validity of a broad interpretation of democracy. It assumes the central meaning of democracy to lie in an ethic, a set of values. Certainly a good case can be made that the triad of liberty, equality, and fraternity furnish, both historically and logically, most of the "real" content of democracy; and that without these concepts representative assemblies, civil rights, universal suffrage, independent judiciaries, and the whole paraphernalia of contemporary democracy are meaningless.[1]

No warranty is given that all of the "theories of democratic administration" reviewed below will, if applied, realize more fully the goals of democracy. They are presented as bricks and straws out of which persons who hold democratic values may, through the use of reason and by the light of experience, find it possible to build better democratic institutions.

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[1] I say this in full awareness of the varying and even conflicting meanings that may be given liberty, equality, and fraternity. A good cause can be made, I think, that the basic ethic of democracy is the Kantian imperative to treat all persons as ends and not as means. To the charge that a broad interpretation of democracy is so inclusive as to make legitimate the communist claim to "real" democracy, I would make this reply: (1) An argument as to which of two institutions is "really" democratic can be settled only by referring both to a common standard of measurement, which must be found in a value, or values. Agreement on values may not be possible. But only if such agreement is reached is it possible to test democracy empirically. (2) The firmness and precision of "strict construction" is illusory, and to adopt this position therefore does not lessen the difficulty. In a recent essay, "Democracy: Confusion and Agreement" (*Western Political Quarterly*, Vol. 4, pp. 430–439 [Sept., 1951]), Austin Ranney and Willmoore Kendall conclude that democracy, by general agreement, means "political equality," "governmental response to the common will," and "rule by the majority instead of the minority." *These are broad, indefinite concepts, which must in turn be given meaning. Certainly the Communists claim all three.* (3) There is no objection to an "operational" definition of democracy. (Certainly I assume that there should now be "operational" testing of some of the theories reviewed below.) But the operational testing must proceed in recognition of points (1) and (2).

One further word to avoid misunderstanding. An essay on the development of theory of democratic administration might be presumed to deal with such problems as legislative "control" of bureaus and collective bargaining in the public service. Such matters constitute the present "working frontier" in the achievement of democracy. The focus of this essay, however, is not upon the present and existing, but upon the future and potential. It seeks to discern where the frontier may be tomorrow and how we can move toward it.

II

While it is impossible to date precisely the beginning of either private or public administration as self-conscious bodies of thought, it is patent that their foundations had been laid by the end of the nineteenth century and that they emerged as separate, though similar, structures early in the twentieth. Being shaped in a particular culture, they accepted as their own many of the central ideas and values of that culture. That they did so is an obvious fact, though a fact often not recognized and still but dimly understood. That private and public administration "accepted," for example, the American worship of science and the nineteenth-century urban and machine revolutions is important, not only in charting their past but in understanding their present and in shaping their future.

Of particular importance is the fact that private administration theory grew up in association with, and even in the service of, a business civilization, at a time when that business civilization was at its best vigorous and self-confident, and at its worst crude and rapacious. In short, the theory and practice of private administration were shaped in a context that was in very important aspects undemocratic. The rights of property and the power of management were overwhelming. In every important respect employees were treated as means and not as ends in the emerging structure of large-scale manufacturing and commercial organizations. The harshness and cruelty of the "system" were, of course, mitigated in manifold ways by acts of kindness and generosity based upon humanitarian and religious sentiment. But these mitigating acts were in a sense outside the system; they were Acts of Grace from above, not the normal fulfillment of legal rights or moral claims.

Private administration absorbed a spirit both of cold, scientific self-calculation and of condescending good will toward the employee. Both of these qualities are clearly evident at the dawn of the movement in the work of Frederick W. Taylor at Midvale Steel. It is hardly too much to say that Taylor regarded his laborers essentially as draft animals. Yet he proclaimed piously again and again that his system of management was designed to benefit the laborer (at least the "first class man") as much as management, and there is no reason to doubt his sincerity.

The phrase that best describes the spirit of private administration at the turn of the century is "harsh paternalism." In the intervening half-century American business has, for better and worse, changed significantly. The size of the industrial, commercial, and financial apparatus has, of course, greatly increased; and there has been an accompanying concentration of control, if not of wealth. But at the same time there has occurred a chastening and mellowing of spirit. The nature of this change is arguable, and some would say that never has business been as self-assured and arrogant as at mid-century. But anyone would be forced to admit that business has changed its tune and tactics, if not its convictions.

For whatever reason, the tone and spirit of private administration have also changed. The change has been from harsh paternalism to benevolent paternalism, or "trusteeship."[2] The element of paternalism remains significant. For example, in the most important body of current private administration theory, that associated with the name of Elton Mayo, the paternalism is strong and unmistakable. But there is no reason to doubt Mayo's often-expressed concern for the worker and his deep interest in what he considered to be the ills of modern society.

The "softening" of private administration theory is not, of course, to be equated with the growth of "democratic administrative theory." There is a significant distinction between the most benevolent paternalism and a healthy, functioning democratic system. Obviously some of the "softening" has come about for reasons quite unrelated to democracy or even to humane sentiment, i.e., to achieve higher output or to forestall corrective political action. Yet even if we discount entirely any democratic motives on the part of private administration, the movements toward an enlightened paternalism may nevertheless have created conditions out of which democratic administration can grow—can grow more easily, at least, than it could have grown a generation or two ago. The consequences of action must be distinguished from the motives; but consequences bear on future motives as well as on further consequences. Admittedly, one conceivable result of recent developments in private administration is the development of a Higher Despotism. But another possible result, if certain tendencies and opportunities are exploited, would be a New Democracy.

In any event, the mellowing of business administration furnishes only a part of the explanation for the development of democratic theory in the private area. Much of the impetus toward democratic theory has come from persons whose motivation has been primarily religious or ethical, though they may use another idiom in their expositions. Ordway Tead, who has pled at length for democracy in administration, has a clear and avowed religious interest; and it is arguable that Mary Parker Follett was as much theologian as social philosopher.

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[2] Trusteeship is the key word in the recently published *Human Relations in Modern Business: A Guide for Action Sponsored by American Business Leaders* (New York, 1949). This small book is a good summary statement of recent "advanced" thought about industrial relations.

In its attitude toward democracy, the history of the public administration movement exhibits significant contrasts to the development of private administration. Back of the differing attitudes lay an important ideological fact and an important administrative fact. The ideological fact was that, though the Founding Fathers had no intent to establish a democracy in any full modern sense, the United States was nevertheless committed to democracy as a political ideal by the time of the formative period of self-conscious public administration. True, those who were laying the foundations of the discipline of public administration in the post-Civil War decades still spoke as much of "republican institutions" as they did of democratic ideals; but the trend was clear. The result was that the early "public administrationists"—Woodrow Wilson, Frank Goodnow and Charles Beard, to name but a few—accepted democracy as the central meaning and principle of the American political system. The concern of such men was not, of course, with public administration in any narrow sense; on the contrary, they made the whole complex of political institutions their province. Yet, curiously, these early students laid the foundations for a pattern of thought according to which democracy was for a generation to be a political principle external to the field of professional interest in public administration. In fact, the later students not only came to see democracy as external to their field of professional interest, but frequently regarded it as hostile to their central principle, efficiency.[3] They became ambivalent, schizoid, seeking ardently to advance democracy by denying its relevance to the administrative process.

The reason for this strange ambivalence is to be found in what was referred to above as "an important administrative fact." This fact, which confronted public administration in its formative years, was the extreme condition of disorganization, haphazardness, amateurism, and dishonesty then characteristic of American administration.

Such a condition resulted from the forces which were shaping American history in the nineteenth century, acting upon, and largely within, the original, eighteenth-century Constitution. The Founders had sought to create a government limited in its powers and divided and counterbalanced in its organs; and the forces of the nineteenth-century while in some ways hostile to the aristocratic sentiments of the Founders, in other ways gave further impetus to principles that they had established. Thus frontier society and "Jacksonian democracy" in some aspects reversed, but in others extended, the principles of 1787. For the most part Jacksonian democracy, while exhibiting an occasional tendency towards vigorous government and "majority tyranny," found that divided and dispersed government suited its temper. It therefore took the political philosophy of Jefferson and bent it to its own purposes, drawing political power downward and outward. The county court house, the independent school district, elected judgeships, recall elections—such are the symbols and artifacts.

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[3] See, for example, Luther Gulick's essay, "Science, Values and Public Administration," in L. Gulick and L. Urwick (eds.), *Papers on the Science of Administration* (New York, 1937), pp. 191–195, esp. p. 192.

The founders of public administration were reformers. They sought to reform a general condition of gross public dishonesty and inefficiency. If the basic philosophy of government—democracy—was not at fault for the flagrant evils of misgovernance, then the reason must be sought in the interpretation and institutionalization of that philosophy. Accordingly, a long and damning indictment was drawn against "centrifugal" democracy; and there was evolved a new philosophy of the meaning of democracy for a society that was trading its rural base for an urban one and was entering into the new era of science and technology.

This new philosophy of democracy was, at least with respect to administration,[4] centripetal. In every important aspect, it reversed the common nineteenth-century belief that democracy is achieved by parcelling out the power and functions of government among the people.

The cornerstone of this new philosophy was the tenet that administration is separable from, and should be separated from, politics—with politics considered both as the activities of political parties and as policy formulation. In 1887 Woodrow Wilson furnished a strong and prophetic statement of the new philosophy in an essay titled "The Study of Administration." "Self-government," he argued, "does not consist in having a hand in everything, any more than housekeeping consists necessarily in cooking dinner with one's own hands."[5] He found democracy actually endangered by too widespread a distribution of power: "There is no danger in power, if only it be not irresponsible. If it be divided, dealt out in shares to many, it is obscured; if it be obscured, it is made irresponsible."[6]

Frank Goodnow's *Politics and Administration* of 1900 lent force to the developing administrative ideology of separation, isolation, and centralization, though it was not in fact intended to demonstrate the strict dichotomy of politics and administration it has often been presumed to argue. Theories and devices borrowed from administrative experience abroad, from the military, and from business also gave impetus to an administrative ideology favoring rationalism, hierarchy, and professionalism. By the eve of the First World War the synthesis was complete; books and journals confidently proclaimed the new philosophy, and a revolutionary change had been effected in the meaning of democracy for administration.

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[4] The new philosophy was generally centripetal with regard to the political processes as well; hence American political science's general admiration for the British Constitution, an admiration generously shared by the British writers.

[5] In *Political Science Quarterly*, Vol. 2, pp. 197–222, esp. p. 214 (June, 1887).

[6] *Ibid.*, p. 213.

For the better part of a generation there was hardly a conspicuous dissent in the professional literature from the "dogmas of centralization," the "canons of integration." Truth having been achieved, attention was directed to its application by such means as charter revisions, reorganization studies, budget and personnel reforms. The means and measurements of efficiency, it was felt and strongly stated, were the same for all administration: democracy, if it were to survive, could not afford to ignore the lessons of centralization, hierarchy, and discipline. Put bluntly, it was the maxim "Autocracy during hours is the price of democracy after hours."

The maxim expresses, of course, the working philosophy of American business during the same period; indeed, it was from business more than any other source that public administration had taken its ideas. Neither business spokesmen nor administrative reformers evidenced the slightest doubt or insincerity about proclaiming their devotion to democracy while insisting with the same breath that democracy was mischievous and disruptive in the central human enterprises of getting people governed and wealth produced.

Let us give this philosophy and its exponents their due. If our measurements are empirical and comparative, not imaginative and idealized, American business did not do badly even with respect to democracy. We would need temerity and ingratitude to argue that the "canons of integration" were a completely wrong response to a crying need for changed institutions for a changing America, or that, put into effect, their results were chiefly evil.

But what is an important, even crucial, fact remains. It is that both private and public administration were in an important and far-reaching sense false to the ideal of democracy. They were false by reason of their insistence that democracy, however good and desirable, is nevertheless something peripheral to administration. The comparative lack of moral élan in the western democratic tradition in the crises of our own day is due to many factors. But surely some of the inertness, doubt, and confusion in this country is the inevitable result of our having long held the point of view that the ideal we professed had no relevance during half of man's waking hours.

Happily, various developments in recent years have cleared the ground and laid the foundation for major developments of democratic administrative theory, if we choose to push forward. First, there has been a complete breakdown and rejection of the dogma, generally accepted less than a generation ago, that "politics" and "administration" are exclusive, or nearly exclusive, categories. This development is writ large in the pages of the first ten years of publication of the *Public Administration Review*. Second, there has been increasingly critical treatment, and even occasional rejection, of efficiency as the central concept of administration study. The rejection of efficiency, however, is not nearly so clear and unequivocal as is that of the separation of politics and administration (to which, however, it is historically and logically related). In fact, Herbert Simon's recent *Administrative Behavior* presents a closely reasoned defense of the notion of an abstract science of administration centered on efficiency. The general trend, however, is clear; it is to deëmphasize, to broaden and "socialize," even to reject, the concept of efficiency.

Finally, there is increasing criticism, modification, and abandonment of the "canons of integration" that were for over a generation the ready prescription for achieving simultaneously efficiency and democracy. True, the canons of integration are usually the rationale of most current administrative reforms, and, as such, there is probably still "historical" force and validity left in them. (I.e., by analogy, centralization of power under the Tudors had to precede constitutionalization of that power under the Stuarts.) But again the trend seems clear and indisputable: its direction is away from the doctrines of centralization, hierarchy, unity, and simplicity which were once accepted as axioms. By common consent Francis W. Coker's essay of 1922, "Dogmas of Administrative Reform,"[7] is the beginning of the counterargument at the theoretical and professional level. Refutation and rejection of the dogmas of centralization, much of it the result of Coker's influence, swelled in volume in the thirties, and reached a peak in the sardonic humor of Charles S. Hyneman's essay on the "theology" of public administration.[8] The argument against centralization and concentration is not merely negative, a rebuttal-in-debate. It has been varied in tone, sometimes subtle and often constructive. The writings urging the case for decentralization in its various aspects are in point, though probably the case for decentralization has been argued as much in terms of superior efficiency as of more democracy.[9]

In private administration the preparation for the reception or development of democratic ideas has not been as thorough as in public administration, but it is still significant in its scope and implications. Some of this preparation results from the growth and increasing acceptance of labor unions, some from the shock and ferment of the Great Depression, some from the action of religious ideas upon the business community. The most significant preparation has come, however, from the Scientific Management Movement and as a result of the Hawthorne experiments.

I hasten to explain this last remark lest it be misunderstood. The Scientific Management Movement was in some aspects highly undemocratic. One of its key concepts, that of "revision of the responsibility upwards," could hardly be more undemocratic. Yet, at the same time, the movement contained important democratic elements. The idea of the authority of *function* as against authority on any other grounds was placed at the center of the movement by Taylor himself, who never tired of praising functionalism in comparison with the "military" system of organization. The idea of the authority of function is, in turn, not wholly and in all aspects democratic. But it *can* have many democratic meanings.[10] Clearly it is related to the "career open to the talents" of middle-class democracy, and certainly it is near the center of the ideology of several schools of socialist thought.

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[7] AMERICAN POLITICAL SCIENCE REVIEW, Vol. 16, pp. 399–411 (Aug. 1922).

[8] "Administrative Reorganization: An Adventure into Science and Theology," *Journal of Politics*, Vol. 1, pp. 62–75 (Feb., 1939); in a similar vein, see Earl Latham's "Hierarchy and Hieratics: A Note on Bureaus," *Employment Forum*, Vol. 2, pp. 1–6 (April, 1947).

[9] Sometimes it is argued that they are both aspects of the same thing. See G. S. C. Benson, "A Plea for Administrative Decentralization," *Public Administration Review*, Vol. 7, pp. 170–78 (Summer, 1947), and C. R. White, "Local Participation in Social Security Administration," *ibid.*, Vol. 5, pp. 141–47 (Spring, 1945).

The impact of the Hawthorne experiments on private administration would be hard to exaggerate.[11] On the one hand, there has been the growth of a much more subtle and sophisticated (and therefore potentially more vicious) paternalism.[12] The hard fact is that in the view of Mayo and his school there are the Managers and the Managed: so it is and so it must be. But on the other hand, the Mayoites are moved by humane sentiments and seek solutions for the ills of industrial society. They have spread a leaven, and, if the ferment is handled skillfully, it may be possible to distill democracy from it. The rediscovery of the whole—or, at least, more nearly whole—human being in the relay-assembly room at Hawthorne was a significant event in American intellectual history. (It is an eloquent commentary on our civilization that the Hawthorne "discoveries" had to be made in the fashion they were and that they should have been regarded as revelations when announced.) Perhaps the paternalism of Mayoism is capable of transmutation into fraternalism. Fraternity, the secularization of Christian love or charity, stood linked with liberty and equality at the beginning of the democratic era. No doubt some of the ills of democracy are due to the neglect of fraternity, with a resulting overemphasis on liberty or equality.

III

To turn to a review of some of the writings that bear directly upon the development of democratic administrative theory, let us look first at public administration.[13] In this field two writers probably go furthest in arguing the relativity of administrative means to political ends and demonstrate how far advanced, in some quarters at least, is the contemporary revolution in the study of public administration.

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[10] The "democratizing" potential of functionalism is demonstrated in M. A. Cook, "Notes on Governmental and Industrial Administration in a Democracy," *Society for the Advancement of Management Journal*, Vol. 3, pp. 139–43 (July–Sept., 1938).

[11] Churchill's famous tribute to the R.A.F. can be aptly paraphrased about the Hawthorne girls. The amount of professional writing cantilevered in all directions from the Hawthorne experiments is a remarkable phenomenon.

[12] As I read Elton Mayo, I have a persistent vision of a modern dairy farm, managed to perfection, each cow in its gleaming stanchion, contentedly munching vitaminized food, milking machines barely audible through the piped-in Vienna waltzes.

[13] I have made no distinction in this essay between "democracy" within an administrative system and "democracy" with respect to an administrative system's external relations. Some of the persons cited below are primarily interested in one, some primarily interested in the other; but among them are individuals who are interested in both, and feel that the theory of democratic administration must be concerned with both.

One of these writers is David M. Levitan, who, in a series of essays, argued for the abandonment of the conventional distinction between politics and administration in order to bring democracy into administration. In "The Neutrality of the Public Service" he presents a case for abandoning the notion of the neutrality of the democratic public servant with respect to broad social, economic, and political issues. Not that civil servants should take part in party politics, or engage in narrow crusades: "The writer agrees thoroughly that members of the civil service must abstain from political participation and are bound to execute with loyalty and devotion the policies of whatever party is in power—to effect the majority will."[14] But today there is a "distinct and urgent need for a change of emphasis" and "for a program of ideological education of government employees. . . . A civil servant in a democracy cannot properly discharge his duties and responsibilities unless he has a firm appreciation of the meaning of democracy, of the dignity of the citizen, and of the concept of being a servant of the people."[15] Actually, policy is made at every level of the administrative process, he argues, and all levels of personnel need planned and conscious awareness of democratic ideology to ensure that all decisions are made in the interests of democracy.

In a subsequent essay on "Political Ends and Administrative Means," Levitan carried forward his argument, with even greater insistence and emphasis. In his eyes,

> The nature of the administrative procedural machinery is . . . as important as, if not more important than, the nature of the philosophical principles of government. Democratic government means democracy in administration, as well as in the original legislation. It is of supreme importance that the administrative machinery established for the execution of legislation be permeated with democratic spirit and ideology. . . .[16]

He believes that students of administration are "myopic" in failing to see the inevitable connection between means and end, between "administrative techniques and social and political environment," and he finds the postulate that administrative organization and techniques are value-neutral to be the precise opposite of the truth.

J. Donald Kingsley's writings are in a vein similar to Levitan's, rejecting any separation of politics from administration, denying the objectivity of efficiency and the possibility of a science of administration divorced from the ends served. To him, "A 'science' of means is a possible adventure only in a stable social environment in which the effective political elements accept a common ideology and adhere to a common scale of values."[17] And further:

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[14] *Public Administration Review*, Vol. 2, pp. 317–23, esp. p. 318 (Autumn, 1942).

[15] *Ibid.*, pp. 318–19.

[16] *Ibid.*, Vol. 3, pp. 353–59, esp. pp. 356–57 (Autumn, 1943). See also his "The Responsibility of Administrative Officials in a Democratic Society," *Political Science Quarterly*, Vol. 61, pp. 562–98 (Dec., 1946).

[17] "Political Ends and Administrative Means: The Administrative Principles of Hamilton and Jefferson," *Public Administration Review*, Vol. 5, pp. 87–9, esp. p. 88 (Winter, 1945).

> We have had, in the field of administration, too much synthetic philosophy disguised as science and not enough examination of the relation of administrative devices and techniques to major political objectives. We need, far more than we have done in the past, to recognize the relativity of means to ends and to escape from the sterile conception that administration is an end in itself or that efficiency and economy are objectives superior to any others that may be sought. This can best be done by the acquisition of perspective and by the careful analysis of administrative devices and techniques in relation to the broad ends they are to serve.[18]

What is not obvious from these brief excerpts, a point of some importance, is the philosophical base on which Kingsley rests these beliefs. This base is Marxian or quasi-Marxian. To a Marxian, governmental agencies reflect the outlook and pursue the interests of the dominant class in a society. To Kingsley, "public administration" is not science but merely another aspect of middle-class ideology, and he has documented this point of view at length in his study of the British civil service. However, one can agree with Kingsley as to the relativity of means to ends without committing himself to all the tenets of Marxism. Administrative devices *are* relative to the economic and social composition and the ideological complexion of the societies in which they exist. Not only the development of democratic administrative theory, but the survival of democracy itself, depends upon recognition of this fact.

Starting from quite different philosophical grounds, and indeed writing to refute the "Marxist" element in James Burnham's confident prediction of the coming Managerial Revolution, Horace S. Fries also made a plea for the development of democratic administration. Fries is a disciple of John Dewey who conveys and extends Dewey's belief in the congruency of scientific method with democratic values and procedures. The aim of science, Fries writes, is not prediction, but control or "concrete transformations." One escapes here from the rigidity of the Marxist notion of the inevitability of the historical process through the idea of *experiment:* science is a self-correcting procedure that advances through experiment. What we need consequently, is experimental (not just observational) social science, carried on by participant-observers.

The proper methodology for social science is happily related to proper procedure for democracy: "The general aim in an experimental democracy would be the aim of less costly or more satisfying resolutions of conflicts of interest. As the self-corrective procedure moved along, the specific plans of hypotheses would be improved; and with their improvement would come greater scientific control."[19] He continues:

> Political and legislative processes alone cannot guarantee democracy in a technological world. But this does not mean that it is impossible to move in the direction of an adminis-

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[18] *Ibid.*, p. 89. See also his *Representative Bureaucracy: An Interpretation of the British Civil Service* (Yellow Springs, Ohio, 1944), especially the introductory and concluding chapters.

[19] "Liberty and Science," *Public Administration Review*, Vol. 3 ,pp. 268–73, esp. p. 272 (Summer, 1943).

> trative democracy which can make self-rule more meaningful than ever before. However, only as public administrators and managers come to see clearly this new alternative of participative self-management—that is, of an experimental, self-governing democracy—will the possibility be transformed into a growing and enriching actuality.[20]

Thus Fries' destination, but not his starting point, is close to Kingsley's.

Still other philosophic roads can lead to democratic administration. David Lilienthal's philosophic outlook is in some aspects pragmatic, but perhaps the center of his deeply felt and eloquently expressed political philosophy is the idea of democracy itself. In his writings on the T.V.A., he has developed a theory of democratic administration which is probably more widely known than any other theory that might be so labelled. The key to the understanding of Lilienthal's outlook is that he accepts "big government" as desirable, or at least inevitable; but he rejects many of the ideas about governmental machinery—chiefly the classical formulae of public administration—with which the acceptance of big government has been historically associated.

The question of the day to Lilienthal is: "How can a democracy enjoy the advantages of a strong central government and escape the evils of remote, top-heavy central administration?"[21] He answers this question, using the idiom of professional public administration, with a thoroughgoing argument for decentralization: delegation of authority to the field, coordination among field representatives, and so forth. But his argument goes beyond its idiom. With great emotional force he argues that decentralization is first and foremost for democracy's sake; and that to achieve democracy citizen groups of all kinds must be brought into the administrative process and given the opportunity to state their interests and to help make and execute decisions affecting their lives.

Postponing consideration of the serious objections which have been entered to Lilienthal's ideas and the actual T.V.A. experience, let us note the work of two other authors whose writings have been both influential and distinctive. These two writers are Ordway Tead and Mary Parker Follett. Neither of them can be said to have written in either the "public administration" or "private administration" field, for both wrote about administration generally. The ideas of both, however, have been most favorably received and most obviously influential in private administration.[22]

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[20] *Ibid.*, p. 273. See also his "Some Democratic Implications of Science in Scientific Management," *Advanced Management*, Vol. 4, pp. 147–52 (Oct.–Dec., 1940); "On Managerial Responsibility," *Advanced Management*, Vol. 8, pp. 45–48 (April–June, 1943); "Scientific Mediation—Tool of Democracy," *Antioch Review*, Vol. 5, pp. 388–401 (Fall, 1945); and *Social Planning* (mimeo., n.p., n.d.). In following up this line, see also, of course, Dewey's *The Public and Its Problems* (Chicago, 1946) and the works of Fries' colleague, Max C. Otto.

[21] See "The T.V.A.: An Experiment in the 'Grass Roots' Administration of Federal Functions,"an address delivered in 1939 and published in pamphlet form. The best-known exposition of his ideas is, of course, *T.V.A.—Democracy on the March* (New York, 1944).

[22] There are a considerable number of works urging, with more or less fervor and sophistication, the extension of democracy in private administration. Practically without

After the name of Ordway Tead stands a long list of works dealing obliquely or directly with democratic administration.[23] The ideas expressed in these books are a peculiarly American amalgam of pragmatic philosophy, secularized Christianity, professional psychology, and a lingering "management" ideology —brought into a unity of sorts by the fervor of Tead's personal crusade for democracy in administration. It is perhaps not possible to square some of the philosophic and psychological circles Tead thinks he has squared.[24] He has labored mightily, however, on an urgent task, applying to his work a rich practical experience as well as a breadth of ideas.

Tead came to maturity during a period and in a field not noted for its sensitivity to the problems and ethics of democracy. His earliest work was in the fields of industrial psychology and scientific management; his first book, *Instincts in Industry*, appeared in 1918, at a time when the phrase "the new art of managing men" was still current. His development as a thinker must be viewed sympathetically against the background of a generation that has seen the publication of hundreds of books titled, in effect, *How to Get to the Top: Techniques for Use of an Ambitious Man in Climbing over His Fellows.* By 1929, the date of publication of his second book, Tead was hard at work trying to reconcile the necessities of cooperative endeavor with democratic values. Already in this book were the fervor characteristic of his work and its central postulate: "The democratic idea is marching on because it is in harmony with the major forces in human nature."

Tead's mature ideas on democracy in administration can be best indicated by concentrating on two of his later works, *New Adventures in Democracy* and *Democratic Administration.* The central thesis of *New Adventures* is that "self-government and good government . . . are two aspects of the same reality." This sentiment is hardly original. What gives it significance is his insistence that *within administration* "democracy must be viewed as a positive, fighting philosophy and as a practical program. . . . "[25] His is not a narrow concern for

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exception the basic ideas in such works have been drawn from Follett, Tead, or some writer associated with the Harvard School of Business Administration. The books of Charles P. McCormick, *Multiple Management* (New York, 1938) and *The Power of People* (New York, 1949), may be cited in the area of business administration, though the titles suggest more relevance to the subject of this inquiry than is actually the case. The two books of Harleigh B. Trecker, *Group Process in Administration* (New York, 1947) and *Group Social Work: Principles and Practices* (New York, 1949) are good examples, showing overtly the influence of Follett and Tead and seeking to extend and apply their ideas.

[23] Among his books the following are perhaps most relevant to this inquiry: *Human Nature and Management* (New York, 1929); *Creative Management* (New York, 1935); *The Case for Democracy and Its Meaning for Modern Life* (New York, 1938); *New Adventures in Democracy* (New York, 1939); and *Democratic Administration* (New York, 1945).

[24] Again and again the reader comes upon a statement which is at best a half-truth, a glossing over a problem not really solved. Thus: "The essence of democratic leadership is the capacity to influence people to act in ways that they come to realize are good for them" (*New Adventures*, p. 137). The "leaders" in George Orwell's *1984* follow just such a prescription.

[25] *New Adventures*, p. 130.

economy and efficiency. Worker satisfaction, personality enrichment, personnel participation, growth of shared ideas, such are the central concepts. In a democratic society we must concern ourselves not only with getting things done but also with "getting them done under conditions where there is full concern for harmonious, productive and satisfactory personality growth on the part of the people who are doing the work. . . . "[26] Administrative management in a democracy should mean "direction of an organization for the purpose of carrying out its specified objectives in such a way that its policies, methods, and total operations realize this objective effectively and economically in performance and harmoniously and satisfactorily for the persons involved."[27] To help achieve democratic administration, he proposes two working principles; the "principle of the representation of interests" and the "principle of co-ordination."[28] Again there is not in these, stated as bare principles, any obvious originality. But in his interpretation and application of them to specific areas of administration—public and private—there may fairly be said to be originality. Certainly in Tead's hands these phrases do not mean what they mean in the contexts where they are most frequently found.

The essence and present terminus of Tead's thought is indicated in the following passages from *Democratic Administration:*

> What we are thus in process of achieving is a necessary, prudent, and productive sharing of power, of knowledge, and of respect. And irrespective of methods conventionally thought to be "democratic," such as voting and the like, wherever sharing on all these fronts goes forward, where creative release of persons is taking place, where responsibility for achieving these aims is being equally shared—*there is democracy.* And the methods which eventuate to do all this successfully *are* democratic.[29]

He has, it seems to me, detoured from, rather than broken through, some of the central problems of a theory of democratic administration. But he seems also to have carried his theories to the periphery of his cultural milieu.

Mary Parker Follett was, by all accounts, a remarkable woman.[30] Certainly her best-known book, *The New State: Group Organization the Solution of Popular Government,* is a remarkable work, both in the combination of intellectual influences it exhibits and in the intensity of the presentation of its ideas. In essence, *The New State* is an ardent, almost shrill, plea for the reconstruction of democratic institutions and ideas, a reconstruction in which philosophical idealism would be wedded to pluralism or functionalism through the agency of the new social psychology. That idealism is a component of her thought could be deduced from nearly every page of this book, even if it had not been overtly acknowledged; Miss Follett was influenced greatly by Thomas Hill Green and Bernard Bosanquet.[31] Curiously, however, she was also deeply impressed with the various discussions of pluralism then in their highest vogue. From these two unlike ingredients, Miss Follett created a rather plausible synthesis. The secret of her success in this undertaking lay in her use of what she called "the new psychology." Picking what theories and findings suited her object from the burgeoning study of psychology, she was able to reconcile the irreconcilable. In effect she rewrote idealism in a twentieth-century idiom.

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[26] *Ibid.,* p. 103. [27] *Loc. cit.*

[28] These "principles" are stated and explained in *New Adventures,* pp. 5–6.

[29] *Democratic Administration,* p. 61.

[30] It is recorded that she made a "deep impression" both on Lord Haldane and Harold Laski—no mean feat.

[31] The introduction to the Third Impression (New York, 1920—1st ed. 1918), which I have used, was written by Lord Haldane, who makes the statement that, had Hegel lived

"We must *live* democracy" is the keynote of *The New State*. Almost without exception, she condemns political institutions historically associated with democracy as at best clumsy, mechanical contrivances, at worst frauds and delusions. Parties, federalism, referenda, natural rights, popular voting—these and many more are castigated severely. The essense of democracy lies not in these mechanical counterfeits, but in the development of common, shared purposes in organizations in which all participate. In her words:

> The essence of democracy is not in institutions, is not even in "brotherhood"; it is in that organizing of men which makes most sure, most perfect, the bringing forth of the common idea. Democracy has one task only—to free the creative spirit of man. This is done through group organization. We are sometimes told that democracy is an attitude and must grow in the hearts of men. But this is not enough. Democracy is a method, a scientific technique of evolving the will of the people. For this reason the study of group psychology is a necessary preliminary to the study of democracy. Neither party bosses nor unscrupulous capitalists are our undoing, but our own lack of knowing how to do things together.[32]

As firmly and carefully as she is able to do so, Miss Follett proceeds to create the New State according to a plan in which the individual is, not lost, but found and enlarged through identity with a complex but ascending hierarchy of groups, ending in a world-group. In each he makes his individuality meaningful by contributing to decisions and actions which are what they are only by virtue of his contribution, but yet are different from the sum of the individual contributions: "Democracy is not a sum in addition . . . it is a genuine union of true individuals."[33]

The nature of *The New State* has been indicated because, while it does not deal with administration as such, it is the necessary background to the understanding of Miss Follett's later writings on administration. These products of her later years, which appeared here and there as essays, have been brought together by H. C. Metcalf and Lyndall Urwick and published under the title *Dynamic Administration*.[34] Most of the essays deal with private—chiefly business—administration; and as noted above, her influence has been chiefly upon private administration. Having turned her attention increasingly to business administration, Miss Follett became increasingly interested in, and influenced by, the Scientific Management Movement. Two concepts of this movement she found especially congenial: one, the emphasis upon functionalism

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in Boston in 1920, "he would probably . . . have said something not very different from what Miss Follett says."

[32] *Ibid.*, pp. 159–60. [33] *Ibid.*, p. 5.

[34] Subtitled *The Collected Papers of Mary Parker Follett* (London, 1942). Her *Creative Experience* of 1924 is an extension of some aspects of *The New State*.

and the authority of function, the other, the idea of avoiding or settling controversy by a thorough and objective finding of the "facts." These two concepts were logical complements, almost the necessary fulfillment, of her general philosophy, and she embraced them ardently.

While the word democracy does not fall from Miss Follett's pen nearly so often in these later essays, I think it is clear that—granting that her original use of the term was not a fraudulent misappropriation[35]—she is hardly less concerned with democracy. Her central concern is that every resource of every human being find its fulfillment. This concern, to be sure, is an old one. But the effect of the application of her ideas in administrative theory is to introduce horizontal lines and circular processes into an area previously dominated by vertical lines and linear processes. There is great—perhaps too great—emphasis upon avoidance and resolution of conflict[36] and much talk about "integrative unity," "decentralized responsibility," "leadership of function," and "power with not power over."

Miss Follett's knitting together of her own philosophy with the two strands of Scientific Management deserves special emphasis. The logical antimony of the "authority of function" to authority *qua* authority was noted above. Here, in Miss Follett's hands, "authority of function" comes to its own as a principle modifying the chain-of-command principle. The other idea, that of settling controversies by fact-finding, Miss Follett erects into a "law," the "law of the situation." Inherent in any situation giving rise to confusion and controversy there is, she believes, a "law"; this law of the situation will become acknowledged and accepted if all of the interested parties approach the matter in the proper spirit and with the use of appropriate fact-finding and fact-sharing techniques.[37]

Mary Parker Follett's development took her, of course, out of the main currents of American political science. But the object of this essay is to emphasize new and different lines which thought about democracy and administration has taken and might, perhaps, pursue further with profit. There is, to be sure, a very considerable body of literature which, crossing and recrossing the old boundary line between politics and administration, seeks to deal with the adaptation of administration to the needs of democracy in the mid-twentieth century. Because this literature is more conventional than what I have discussed, it is only noted and not discussed here.[38] But it is "conventional" only with respect to the point of view of this essay. In reality, as observed above, it stands on the present "working frontier" of public administration and is characterized by maturity, insight and wisdom.[39]

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[35] One of my friends stoutly asserts that *The New State* should have been labelled *The Old Medievalism.* The idea of "finding" one's real self in group action had a prominent place in fascist ideology, and at best must be carefully handled to prevent its abuse.

[36] In their comment on "The Perspectives of Elton Mayo," *Review of Economics*, Vol. 31, pp. 312–21 (Nov., 1949), Reinhard Bendix and Lloyd H. Fisher quite properly call Mayo to account for his almost pathological dislike of "conflict" in society: "Political conflicts do not necessarily cause a civilization to decline; they may as readily be the necessary condition of a free society, and except upon the radical hypothesis that freedom and civilization are mutual enemies, the charge cannot be supported" (p. 315).

[37] There is a curious, Quakerish "sense of the meeting" in this point of view.

[38] Neither am I discussing in this essay the body of writings on "economic" or "industrial" democracy, frequently of socialistic orientation. This omission is not solely due to

IV

What are the prospects for a fuller and more fruitful development of democratic theory in administration? What obstacles stand in the way of further substantial achievement and by what possible means may these be overcome?

One major obstacle in the way of further development of democratic theory is the idea that efficiency is a value-neutral concept or, still worse, that it is antithetical to democracy. To hold that we should take efficiency as the central concept of our "science" but that we nevertheless must tolerate a certain amount of democracy because we "believe" in it, is to poison the taproot of American society. To maintain that efficiency is value-neutral and to propose at the same time that it be used as the central concept in a "science" of administration is to commit one's self to nihilism, so long as the prescription is actually followed.[40]

The decline of "orthodoxy" in public administration is far advanced, and makes possible, if not inevitable, development of the theory of democratic administration. Efficiency is, however, a tenet of orthodoxy that has refused to decline. No one now believes in any strict separation of politics and administration; but in the proposition that there are "value decisions" and "factual decisions" and that the latter can be made in terms of efficiency, a logical

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limitations of space; partly it results from a judgment on the validity of their "administrative" ideas. Whatever the ethical validity of "socialism" or "economic democracy," the part of such writings dealing with administrative arrangements for achieving the Ideal is so loose-textured and naïve that it is difficult to take the proffered theory seriously.

[39] I refer to such qualities in the literature as the following: the imaginative probing of *The Frontiers of Public Administration* (Chicago, 1936), as well as other writings of its three distinguished contributors, J. M. Gaus, L. D. White and M. E. Dimock; Charles E. Merriam's scattered but frequently penetrating treatments of the subject, concentrated most in *The New Democracy and the New Despotism* (New York, 1939), *Public and Private Government* (New Haven, 1944), and *Systematic Politics* (Chicago, 1945); Paul Appleby's refined and urbane worldly wisdom, in such works as "Toward Better Public Administration," *Public Administration Review*, Vol. 7, pp. 93–9 (Spring, 1947), and *Policy and Administration* (University, Ala., 1949); C. S. Hyneman's search for a golden mean in *Bureaucracy in a Democracy* (New York, 1950); A. C. Millspaugh's peculiar combination of traditionalism and insight, in such works as *Democracy, Efficiency, Stability: An Appraisal of American Government* (Washington, 1942) and *Towards Efficient Democracy* (Washington, 1949). This list is indefinitely expansible. Perhaps I should add the names of Fritz Morstein Marx, Herman Finer, and C. J. Friedrich, who have written with particular reference to the problem of administrative "responsibility."

[40] In this contention, the present "weight of authority" is against me. But I believe that there is no realm of "factual decisions" from which values are excluded. To decide is to choose between alternatives; to choose between alternatives is to introduce values. Herbert Simon has patently made outstanding contributions to administrative study. These contributions have been made, however, when he has worked free of the methodology he has asserted.

division of reality is substituted for the previous institutional one. In this view, the fact that in actual administration factual and valuational decisions are fused together in one operation is held not to affect the validity of the *logical* distinction; for is not the method of science precisely to abstract from so-called reality?

How can this roadblock in the way of democratic administration be removed? Not, certainly, by trying to remove "efficiency" from our vocabulary; the concept is a key one in our culture and cannot be dealt with so radically. To try to eliminate it outright as a "goal" or measure of administration is to waste time in fruitless argument. The way forward lies rather in an increasingly subtle and critical use of the term, in an ever-greater awareness of the value-context in which it is used. Its present usefulness as a crude tool to measure ratio and proportion must be recognized; but, in turn, the value-content of the things between which it measures ratio and proportion must be recognized. Increasingly we must ask ourselves not merely, "What is the efficiency of our means for our ends?" but, in addition, "What are the implications of our ends for our use of means—and hence for our measurement of efficiency?" We need a fundamental reëxamination of the ends-means complex, in which it is recognized that the choice and use of means has implications for the ends. So treated, we may confidently expect that the concept of efficiency will be all but refined out of existence by the end of the twentieth century, in the same manner as was the concept of utility in the nineteenth.

Probably the greatest obstacle to the development of theory of democratic administration lies not in an over-emphasis on efficiency but in the force of a body of "authoritarian" ideas about human organization. Some attention will accordingly be given to certain of the more important authoritarian ideas, to the nature of their challenge, and then, finally, to a possible technique by which they can in turn be challenged.

Some of these authoritarian ideas would include those which are incorporated in the traditions of public and private administration. In the business sector of private administration, this authoritarianism is based upon historically received and legally protected "rights of property," though buttressed by many other sources, including Scientific Management and Mayoism.[41] In public administration, authoritarianism is based historically on general political theories, particularly the complex of ideas clustered about sovereignty. Here there has also been a heavy borrowing from the authoritarian ideas of business administration. The general nature of the problems such authoritarian ideas pose has already been reviewed.

But there is an area of perhaps greater challenge to a long-range, valid theory of administration. This is the area of what may be called "sociological theory." In recent years some of the most valuable writing on administration has been done by those whose formal commitment is not to political science but to sociology—for example, Reinhard Bendix, Philip Selznick, and Robert K. Merton.[42] These writers, it is hurriedly added, have an ardent attachment to democracy. But at the center of the sociological treatment of organization and administration there is an emphasis upon the themes of authority, control, hierarchy, discipline, and so forth, which seem to be inherent in all human groupings, and which have been emphasized in the classical works in sociology.

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[41] How firmly grounded this authoritarianism still is, is indicated by an article by Robert Tannenbaum, titled "The Manager Concept: A Rational Synthesis," in *Journal of Business of the University of Chicago*, Vol. 22, pp. 224–41 (Oct., 1949).

Now, to be sure, the beginning and the end of wisdom in the development of democratic theory may lie in the recognition of inevitable limitations of the human material. We also must recognize that in this world we can not dispense with authority and discipline. *But over a very wide area of human affairs the history we experience is the result of the ideals we pursue.* "Things," in other words, are not just true or false of human organization; what happens is significantly "trueable" or "falseable." A viable democratic theory of administration, one not superficial and shallowly optimistic, must neither avoid the literature of sociology nor be overwhelmed and depressed by what seem to be its findings—findings which, after all, are far from being firm scientific generalizations.

An example of the challenge presented by contemporary sociological theory, and an illustration of how the challenge may help in the erecting of a sounder democratic theory, are provided by Philip Selznick's study of the T.V.A. and his criticism of the T.V.A.'s "grass-roots" democracy. His thesis is that what was represented by Lilienthal as democracy, the enlisting of the support and cooperation of local interests and organizations, is more realistically described in other terms. In reality, he argues, the T.V.A. leadership, consciously or unconsciously, bargained with the local centers of political power for support of T.V.A.'s electrical power program. The price for this support was acceptance on T.V.A.'s part of the entire remaining pattern of southern economics and race and class relations. The bringing of existing local organizations into the T.V.A. structure was merely the institutionalization of this power-bargain.

On the evidence, the general validity of Selznick's criticism seems clearly established. There is no sensible alternative but to reëxamine critically Lilienthal's theories and the T.V.A. experience. Probably some useful ideas can be salvaged. In any case, democratic theory of organization is obligated to Selznick for helping to determine valid from invalid theory.[43]

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[42] See Reinhard Bendix, "Bureaucracy and the Problem of Power," *Public Administration Review*, Vol. 5, pp. 194–209 (Summer, 1945), and "Bureaucracy: The Problem and Its Setting," *American Sociological Review*, Vol. 12, pp. 493–507 (Oct., 1947); Philip Selznick, "An Approach to a Theory of Bureaucracy," *American Sociological Review*, Vol. 8, pp. 25–35 (Feb., 1948), and *T.V.A. and the Grass Roots* (Berkeley, 1949); R. K. Merton, "Bureaucratic Structure and Personality," *Social Forces*, Vol. 18, pp. 561–68 (May, 1940), and "Role of the Intellectual in Public Bureaucracy," *Social Forces*, Vol. 23, pp. 405–15 (May, 1945).

[43] *Cf.* R. G. Tugwell and E. C. Banfield, "Grass Roots Democracy—Myth or Reality?" *Public Administration Review*, Vol. 10, pp. 47–55 (Winter, 1950). In my opinion we need similar critical studies of all of the experiments in administration which have been represented as "democracy in administration." Certainly some of these seem but pious cloaks

Some of the contemporary writings on theory of organization owe a large and obvious debt to Max Weber and Roberto Michels. The work of these two men, widely respected and highly influential, cannot be passed over even in an essay of this scope. The writing of Weber most immediately in point is the essay, of impressive scholarship, translated under the title "Bureaucracy."[44] In Weber's hands "bureaucracy" is not a term of reproach, but a type of human organization: a type characterized by rationality, hierarchy, division of labor and specialization of function, professionalism, and so forth. To him this type of organization is "technically superior," and he sees its general predominance (in the private as well as the public area) as a characteristic of the modern age in the West. Weber's attitude combines an admiration for the efficiency of bureaucracy with calm sadness that it should have triumphed (for its rationality, so far as it is successful, denies spontaneity and free-play in human affairs). Furthermore, in his analysis, bureaucracy, though in certain respects antithetical to democracy, is in some ways the natural fruit of the growth of democracy in modern times. These features of Weber's theory present a sharp challenge to the advocate of democratic administrative theory.

From the viewpoint of this inquiry, how can Weber be countered? It can be plausibly argued that, for all his erudition, Weber was a child of his time in spite of himself and that he accepted without criticism some of the values of his undemocratic environment. Is bureaucracy technically "superior" *sub specie aeternitatis* or simply from the viewpoint of Max Weber writing in Imperial Germany? More, was not Weber perhaps a victim of the common foible of imagining one's own time and place the terminus of the creative process, in his picture of western civilization moving slowly and haltingly toward the type of organization typical of his own day? The theorist of democratic organization must, in short, credit Weber for a good picture of his and our own day, but he must refuse to believe this is the prettiest of all pictures; he must not simply look backward to see what types of societies have been but must look forward into a future of new and now-unknown types of societies.

Roberto Michels presents a different sort of a problem, *prima facie* more difficult, but actually simpler. The thrust of his thesis, his "iron law," comes dangerously near the heart of our hope. But the wound is not fatal, and, properly treated, heals quickly and cleanly.

According to Michels' iron law, there is in every organization, even those avowedly most democratic or socialistic, an oligarchic, hierarchic, centripetal tendency: "Socialists may triumph, but socialism, never." Michels is vulnerable in the overstatement of his thesis and the subordination of all else to its demonstration. Surely there are few instances in the history of scholarship of such intense effort to prove a single point. Indeed, such single-minded devotion

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for selfishness. Democracy is not forwarded by delegating to foxes all decisions about chickens. For a review of some of the "democratic" experiments, see John D. Lewis, "Some New Forms of Democratic Participation in American Government," in J. B. Shannon (ed.), *The Study of Comparative Government* (New York, 1949).

[44] In *From Max Weber: Essays in Sociology*, trans. and ed. H. H. Gerth and C. Wright Mills (New York, 1946).

to the opposite point of view might result in as convincing a case for an "iron law of anarchy," a finding that no matter how rigid a theory of autocracy an organization operates under, there is nevertheless an impressive (and ultimately successful) centrifugal, anti-hierarchic and disintegrative force at work. Democratic theorists should, consequently, search for and use empirical data to counter any empirical data used to demonstrate the impossibility of democratic administration.[45]

The name of Karl Marx should also be mentioned, because of the considerable vogue of Marxist ideas in twentieth-century social science. The total meaning of Marxism for this inquiry is, however, extremely difficult to assess. This difficulty exists, in part, because Marxism is ambivalent—or confused—with respect to administration. It combines a nineteenth-century revolutionary hatred of authority and "bureaucracy" and naïve faith that after the victory of the proletariat things would not need to be managed but would run themselves with a twentieth-century theory of the dictatorship of the proletariat. The difficulty is aggravated because identical aspects of Marxism are the basis for contrary conclusions, depending upon the person and his object.

One use of Marxist ideas, of considerable interest from the viewpoint of this essay, is found in James Burnham's *The Managerial Revolution*, which created a considerable stir when published in 1941 and which still receives many heated references. The thesis of the book is that the Marxians are right in forecasting the inevitable decline and fall of capitalist, middle-class society, but wrong in presuming that the triumph of the proletariat will follow. Instead, a new ruling class, the Managers, those having command of science and technology and now actually in control of modern, large-scale organization will emerge; indeed, this class is in fact now emerging and generally in control. Such an argument obviously produced a wealth of criticism; and many of Burnham's historical predictions, delivered in grand Olympian style, were quickly made ludicrous by the actual march of history.

Yet one aspect of Burnham's thesis cannot be lightly dismissed and deserves the most serious attention of the democratic theorist. It is the idea that control of modern technology introduces important new elements into contemporary superordinate-subordinate relationships. (This idea is not a Marxian one. Indeed it is counter-Marxian to the extent that it holds that power is based upon something other than "ownership" of property.) This is the theme developed with such horrific impact in George Orwell's *1984:* Managerial Society technically perfect though morally depraved—tyranny unlimited and forever. But the means of tyranny which modern technology supplies present not merely a threat to democratic administrative theory, but also an opportunity. Since it is clear that the traditional institutions of democracy are inadequate for the task, protection to society against misuses of instruments by which it lives must come through the development of *new* institutions and ideas.

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[45] Some hints as to how a theory of democratic administration may be buttressed by empirical, even experimental, data may be found in Robert Tannenbaum and Fred Massarik, "Participation by Subordinates in the Managerial Decision-Making Process," reprinted from the *Canadian Journal of Economics and Political Science* as Reprint No. 14 of the Institute of Industrial Relations, University of California, Los Angeles. Though the authors were concerned only with "participation as a managerial device," some of their suggestions may be used for other purposes.

But the central challenge presented by Marxism itself in a non-Marxist society is whether any theory of democratic administration can abolish or seriously mitigate the control of some human beings over others in a society in which the means of production are privately owned. This is a challenge which will be hard to meet, precisely because in a society in which private ownership is the rule there is indeed a great deal of control of some human beings by others; and no elaborations or inventions of democratic theory are likely to change this situation quickly. Pending elaborations and inventions in the realm of ideas and such hoped-for institutional changes as will give the lie to the charge, the democratic theorist must perhaps make shift with the refutation of one brand of authoritarianism by others. In Michels and Pareto, to name but two, he will find plenty of argument that control of some human beings by others is not done away with by the simple expedient of abolishing private property. He will also find a wealth of empirical data available to demonstrate the argument.

The central problem of democratic administrative theory, as of all democratic political theory, is how to reconcile the desire for democracy (*freedom* is too narrow a concept) with the demands of authority. What may be some significant germinal ideas as to how this reconciliation may be successfully realized are to be found in certain of the unpublished writings of Mr. William Brownrigg. Brownrigg is a management consultant who has applied himself diligently to the task of trying to find a more adequate conceptual framework for the study and practice of administration. His professed aim has not been democracy, but understanding and efficiency. But perhaps his conceptual framework may at least provide clues to the better solution of the problem of democratic administration.

In seeking the basic aspects of administration, Brownrigg concludes (as have many others) that administration is but a species and that the inquiry, if it is to come to grips with fundamentals, must be extended beyond the species. Most students pursuing such abstract analysis content themselves with "organization" as a basic concept, but Brownrigg chooses to take as his central idea "the human enterprise process," of which administration or bureaucracy is in our day the characteristic form. Pursuing his analysis, Brownrigg concludes that all human enterprises have three aspects, namely, determination, administration, and utilization. Each of these three is then analyzed into a number of steps or processes which may characterize it in a complex human enterprise. Brownrigg speaks of the three basic aspects as three chain links, each joined to the other, and sees the administrative process as more circular than linear. Indeed, in his conceptualization, administration takes on subtleties and dimensions which cannot even be hinted at by such primitive devices as organization charts. For large enterprises are really complexes of logically complete enterprises; and in the enterprise process itself, there is no such thing as a simple dichotomy between managers and managed, but rather all participants are in varying degrees and in turn, determiners, administrators and utilizers.

What is intriguing about this conceptualization is that, if it has essential validity, it makes possible a really substantial abandonment of the authority-submission, superordinate-subordinate thought patterns which tend to dominate our administrative theory. Certainly some of the tensions and troubles of our day result from the "cultural lag" between the demands and possibilities of large-scale organization and inherited, traditional ideas.

In rare moments of optimism, one permits himself the luxury of a dream of a society of the future in which education[46] and general culture are consonant with a working world in which all participate both as "leaders" and "followers" according to "rules of the game" known to all. Such a society would be post-bureaucratic. Bureaucracy in the Weberian sense would have been replaced by more democratic, more flexible, though more complex, forms of large-scale organization. Culture as a whole would be adapted to post-bureaucratic organization, just as it was adapted to and supported bureaucratic organization in Weber's Germany. Authority would have a legitimate role in this society because authority is an aspect of all society.

But the fundamental axiom of social mechanics in this future society would be: *The only thing which can legitimatize authority in a democratic society is democracy itself.*[47] As a matter of formal theory we now proceed on this basis in our public life, though the traditional institutionalization of the idea is increasingly obsolete in the twentieth century. In our private life we recognize it very inadequately, and in our economic activities hardly at all. And in the discrepancy between the general theory of life and the actual workaday facts is great cultural tension and personal tragedy. It is true that this post-bureaucratic society would not pursue the utopian vision (or totalitarian nightmare) of complete absence of conflict. A considerable measure of conflict is perhaps not only necessary but socially desirable; the fabric of any democratic society must be woven to allow for the play of conflict without damage to the fabric itself.

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[46] Significantly, *The New State* carried an appendix titled "The Training for the New Democracy." It is clear that a theory of democratic administration must deal eventually with education—education for participation in democratic administration. Indeed, the writings of the psychologists indicating that the "superordinate-subordinate complex" of an individual is rooted in family life suggest an even broader scope for democratic administrative theory.

[47] Of interest in this connection is the work of Peter Drucker, who has written very perceptively about many aspects of the reconstruction of society to make it consonant with large-scale organization. In *The New Society; The Anatomy of Industrial Order* (New York, 1950), Drucker properly states a central problem: how is the power of large-scale industrial organization to be legitimatized in a time in which property rights no longer in themselves legitimatize? His answer, however, for all its refinements, is the traditional one that a line must be drawn between a governmental area in which democracy is applicable and an economic area in which it is not. The integrity of "management" must be preserved, and, at most, employees may be permitted only a share in the operation of employee services.

THE AMERICAN TRADITION OF EMPIRICAL COLLECTIVISM

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About the American tradition of individualism much has been said and written—so much, indeed, that this country has come to be regarded as the stronghold of individualism. That the ideal of the free individual has long pervaded American thought cannot, of course, be denied. Yet while it is true that this tradition is clearly discernible throughout American political development, its role has been grossly exaggerated. Along with individualism there has existed in America, from the earliest days of colonization, an equally strong and an equally significant collectivist tradition. The New Deal and its presumptive successor, the Fair Deal, regarded by so many as new and dangerous departures, actually are like their predecessors, the Square Deal and the New Freedom, the Granger and the Populist movements, merely episodes in the development of a venerable American tradition of collectivism.

Even though this collectivist tradition is a virile one, with a long and uninterrupted history, interpreters of the American scene have for the most part ignored it. This neglect reveals less about the course of American political development than it does about the intellectual predilections of observers and scholars. Observers have generally tended to oversimplify American development, either by assuming that it is merely a minor offshoot of European, especially British, experience, hence unworthy of serious attention, or by assuming that it is devoid of roots reaching back for several centuries. Both assumptions are unwarranted: American political development is much more than a mere variation upon a basic European theme, and it does have roots which extend through several centuries of unique American experiences. In particular, many scholars have been encouraged to neglect American collectivism[1] by their tendency to overstress differences of opinion at the expense of fundamental political agreements shared widely within our culture. Preoccupied with fine points of disagreement, they have attended more to surface conflicts than to the underlying consensus of the American people.[2] Fortunately, however, the shortsightedness of observers and the perversity of scholars have yet to shape the course of political developments: despite inadequate treatment, the collectivist tradition is one of the most significant features of our political heritage.

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[1] It is only recent generations that have practically ignored it altogether; earlier observers, like Alexis de Tocqueville, were not unaware of its existence. Writing in 1835 he remarks: "In no other country of the world has the principle of association been more successfully used or applied to a greater multitude of objects than in America. Besides the permanent associations which are established by law under the names of townships, cities, and counties, a vast number of others are formed and maintained by the agency of private individuals" (*Democracy in America* [New York, 1946], Vol. 1, p. 191).

[2] In his refreshingly different study, *The American Political Tradition and the Men Who Made It* (New York, 1948), Richard Hofstadter calls attention to "the tendency to place political conflict in the foreground of history," at the expense of what he terms "shared convictions" within "the common climate of American opinion." See the Introduction, pp. vii ff.

The assertion that both an individualist and a collectivist tradition have persisted throughout our political history appears anomalous. If it were not for the peculiar character of American collectivism, no doubt the anomaly would be as real as it is apparent. But the American collectivist tradition evolved in the process of devising practical solutions for immediate and concrete problems. Consequently what is peculiar to American collectivism, reconciling it to the individualist tradition, is its pronounced empirical character.[3]

The empirical collectivist assumes the distinctive position that collective action should be employed only when necessary to solve practical problems confronting the community. Holding that the community should undertake collective action when a problem comes within the purview of public concern, he likewise maintains that the *type* of collective action depends upon the specific character of the problem and the conditions for its solution—in short, upon the actual situation itself. He further stipulates that public action taken to dispose of a problem should redound to the benefit of the entire community. Because his primary concern is with the general interest, rather than with any special interest within the community, he opposes the excessive claims of all special groups, no matter what their nature.[4]

Collective action is, according to the empirical collectivist, merely an expedient which members of the community can employ to solve problems confronting them. Whatever is necessary, but only what is necessary, is authorized by the doctrine, and both the need for action and the type of action appropriate are empirically determined. In other words, practical application of the doctrine is governed by what can be termed "the rule of economy": the minimal action required to dispose of a problem—and no more—should be undertaken collectively.

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[3] This tradition I shall therefore call, following Francis W. Coker, "empirical collectivism." In his *Recent Political Thought* (New York, 1934), Professor Coker entitled the last chapter "Empirical Collectivism" (Ch. 20, pp. 545–559). In that chapter he treats of British as well as American thought, while this essay is, of course, confined to the development of an American tradition of empirical collectivism.

[4] In thus setting the primacy of the public interest over any lesser interest, the empirical collectivist reflects a strong community sense. He realizes that members of society are economically interdependent, just as they are socially, politically, culturally, and otherwise; he recognizes this interdependency as a condition of life in the "Great Society," to which the people and their governments must accommodate their actions if public problems are to be solved. Hence on occasion the empirical collectivist may advocate action which advances the interests of some special group—especially a large underprivileged group—of the population, on the grounds that the public interest can best be promoted in that way. (See Coker, p. 545.) His preoccupation with the welfare of the whole community leads the empirical collectivist in many instances to take the point of view of the consumer. Though not all members of society are workers or employers or businessmen or farmers, all members are consumers, as they are citizens; thus the empirical collectivist is able to espouse the public interest as it is reflected in the welfare of citizens as consumers.

Thus the doctrine of empirical collectivism implies an order of preferences to be observed in undertaking collective action. The three principles specifying this order can be formulated as follows: (1) *Collective action should be employed to solve only bona fide public problems.* Where a choice is possible, individual action is preferable to public action, whether governmental or non-governmental; and for solving personal problems individuals themselves are responsible. But if a problem concerns the many members of the community, it becomes a public problem, and then—but only then—collective action is warranted. (2) *Collective action should be undertaken by the agent of the community best able to dispose of the problem.* If action by a private organization can be successfully employed, well and good, for non-governmental action is preferable to action by a government agency. But if private action is inadequate, then government action is in order. The political agent of the community best able to dispose of the problem might be a local or state government, as well as the national government. Local action is preferable to state action, state action to national action. But whenever a problem is beyond the competence of the states, the national government should act, just as a political agent of the community should act whenever a problem is beyond the competence of private organizations. (3) *Collective action should involve minimal interference in the life of the community.* Of course, the means best able to accomplish the end in view should be employed in every instance. But of the various means available, the empirical collectivist prefers voluntary to mandatory action, inducement to compulsion, restriction to prohibition. And if government action is required, he prefers public regulation of private enterprise to government operation of public enterprise.

A significant feature of the empirical collectivist's position is that no type of collective action is proscribed, though he definitely prefers certain types of collective action to others. In every instance the type of action he elects to support is set by the imperatives of the practical situation. Hence the empirical collectivist never propounds a pat formula for collective action; he is wedded to no doctrinaire analysis of political history or human behavior; he is hobbled by no preconceptions about political problems or their solution. Instead, the empirical collectivist always prescribes specific and concrete collective action, invariably directed to an empirical problem situation.[5]

Because of its pronounced empirical character, the American collectivist tradition is in sharp contrast to the more familiar doctrinaire collectivism of European socialists, just as, it might be added, American individualism is in contrast to the doctrinaire individualism of European liberals. Those who take it for granted that collectivism developed, historically speaking, in reaction to the free-wheeling individualism practiced by those industrial capitalists who lived by the creed of laissez-faire, have necessarily failed to appreciate the distinctive character of American empirical collectivism. And those who take it for granted that the peculiar experiences of the American people have not left their mark on our thought and practice, similarly have necessarily failed to notice striking features of the American collectivist tradition. Actually, the extent of the contrast between American and European collectivism can be understood, only if the differences in the experiences of European and American peoples are fully appreciated.

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[5] Cf. Coker, p. 547: "No single or simple panacea is offered; and no sudden, sweeping, root-and-branch reconstruction of the present economic order is advocated. Existing methods are to be changed in an eclectic, piecemeal manner."

In Europe it was the capitalist system of production and distribution, wrought by the Industrial Revolution and buttressed by the "scientific" dogmas of the classical political economists, that so strongly stimulated, albeit indirectly and in reaction, the spread of doctrinaire collectivist theory. The rise of European socialism kept pace, shadow-like, with the growth of large-scale industrial enterprise; as capitalist development entered another phase, so did socialist doctrine undergo corresponding modification.

But in America empirical collectivism was accepted long before our society underwent the fundamental transformation from a frontier-agrarian to an urban-industrial system of production and distribution. In fact, the empirical collectivist tradition developed not simply during the pre-industrial phase of our national history, but in direct response to American frontier experiences.

Long ago Frederick Jackson Turner pointed out that the frontier profoundly influenced the course of American history, leaving a distinctive imprint on American thought and practice.[6] One manifestation of the pervasive influence of the frontier—and a significant one—was the disposition of society to undertake collective action for public purposes. It is quite true that the American pioneer was a "rugged individualist," but, as de Tocqueville well noted, American individualism, unlike its European counterpart, has not precluded a strong community sense.[7] Life on the frontier made collective effort indispensable; and though "America does through informal association and understandings on the part of the people many of the things which in the Old World are and can be done only by governmental intervention and compulsion," the frontier American did not hesitate to carry the principle of log-rolling and house-raising, the custom of the husking-bee and apple-paring, the vigilantes committee and cattle raisers' association, into politics.[8] Nor, it might be added, was he reluctant to apply the Christian principle of the brotherhood of man in an effort to make life on the frontier a more tolerable and felicitous human experience.[9] Indeed, frontier settlements became veritable laboratories for developing and testing forms and techniques of collective community effort. The result was that, during the period prior to the industrialization and urbanization of American life, the impetus behind the development of a collectivist tradition in America came from the frontier experiences of small farmers, mechanics, and tradesmen who were colonizing this continent and converting it from a vast wilderness into a prosperous and populous nation.

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[6] Professor Turner's essay was first published in 1893 under the title of "The Significance of the Frontier in American History." It is reprinted in the collection of essays entitled *The Frontier in American History* (New York, 1947).

[7] In 1835 he wrote: "It was never assumed in the United States that the citizen of a free country has a right to do as he pleases; on the contrary, more social obligations were there imposed upon him than anywhere else. No idea was ever entertained of attacking the principle or contesting the rights of society . . ." (*Democracy in America*, Vol. 1, p. 71).

[8] See Turner, *The Frontier in American History*, pp. 343 ff. Perhaps it should be noted that in his thesis Professor Turner, though recognizing frontier collectivism, stressed the influence of the frontier in fostering an individualist tradition. I believe that he overstressed the role of individualism, and underemphasized the role of collectivism, in American frontier experience.

[9] In this connection see de Tocqueville, Vol. 1, pp. 300–14; Vol. 2, pp. 20–28, 125–27, 143–47.

It is because the tradition in America emerged during the pre-industrial phase of our national history and under the influence of frontier experiences that empirical collectivism acquired a character fundamentally different from its doctrinaire European counterpart. Never was the creed of the Manchester liberals, which came to be so widely and firmly accepted by nineteenth century British manufacturers and merchants, and by their more literate champions in the press and Parliament, an accepted one among the settlers of the American West. To the frontiersman doctrinaire liberalism was either unknown or regarded, like other quaint European importations, as outlandish nonsense unbefitting a practical people. Even during the springtime of economic liberalism and industrial capitalism in America—in the decades of the Civil War—laissez-faire doctrines were not seriously entertained or debated except in academic centers along the Atlantic seaboard (in the eyes of the Westerner, the "effete East," where a European intellectual orientation has chronically vitiated the issuance of native American ideas). For the American settler the notion that "natural" economic laws rule mankind in a fearsome grip could not but mark a shocking contradiction of his and his compatriots' experience. For sound reason he knew that "natural" men, by industry and courage, through collective as well as individual effort, could create a kind of world akin to the world they wanted. Indeed, in the American dream there was no place for the dark pessimism of the "dismal science," or for the utopian optimism of its illegitimate offspring, "scientific socialism."

Thus having proceeded from a base of special experience, the empirical collectivist rejects alike the contentions of the laissez-faire liberals and of their socialist critics. He repudiates all doctrinaire analyses and programs as the basis for political action, on the grounds that they are unrealistic: all rest on precarious intellectual foundations, erected by thinkers more concerned with a "science" of man than with the experiences of men. He well realizes that "capitalism" and "socialism" are vague words rather than concrete things, and that capitalism as the socialist thinks of it, or socialism as the capitalist thinks of it, has never existed and never will in the form in which doctrinaire writers discuss it. He appreciates that the American economy, as any economic system, is now and always has been a "mixed" one, with an amount of "capitalism," an amount of "socialism," and a large amount of something else for which we have yet to invent a name to stir people's hopes and fears.[10]

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[10] Cf. Coker, p. 546. The extent of government intervention in economic affairs during the earlier periods of our history is sometimes overlooked. For an account of one sort of government intervention in the pre-Constitution period, see R. B. Morris *Government and Labor in Early America* (New York, 1946), especially the introduction, entitled "The

From the outset collectivism in this country has adapted itself to conditions peculiarly American. This adaptation accounts for two significant features of empirical collectivism: its positions regarding federal action and regarding private ownership of property.

James Bryce many years ago observed: "He who would understand the changes that have passed over American democracy will find far more instruction in a study of State Governments than of the Federal Constitution."[11] In spite of Lord Bryce's admonition, those attending primarily to constitutional development and the policies of the national government have taken insufficient notice of the extensive application of empirical collectivism by state and local governments. They have been inclined, indeed, not only to overlook the vigorous and widespread collectivist tradition in America, but also to misunderstand the American attitude towards government action. From the valid proposition that Americans have traditionally been hostile to action by the federal government, they have unwarrantedly drawn the inference that Americans have traditionally been hostile to collective action undertaken by state and local governments.

In America it has been necessary, at least since 1789, to accommodate collectivist thought and practice to our constitutional arrangements. Because the American tradition evolved within the context of the federal system, in the early period of our history the doctrine of empirical collectivism was mainly—though by no means entirely—invoked at a state and local rather than the national level of government. The Constitution reserved to the states ample powers to undertake various types of collective action, even though the powers delegated to the national government were expressly limited. Thus on occasion, even when collective action was desired by a large segment of the population, the federal system prevented the national government from acting. At least this was the case until well into the nineteenth century, when exponents of national action finally overcame the constitutional scruples of Presidents and Congressmen, as well as of the public itself, and the Supreme Court devised acceptable ways and means for manipulating the Constitution so that it would harmonize with the fact of American nationhood.

Empirical collectivists have always conformed to prevailing American attitudes regarding federal action. While favoring action when taken by a state or local government, early empirical collectivists, including Jefferson and Jackson, not infrequently opposed, on constitutional grounds, similar action when taken by the national government. For them the question was never simply: should the most suitable agency of government undertake collective action to solve

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Mercantilist Background of American Labor Relations," pp. 1–54; Ch. 1, "Regulation of Wages Prior to the Revolution," pp. 55–90; and Ch. 2, "Regulation of Wages during the Revolution," pp. 92–135. Joseph Dorfman's two-volume study, *The Economic Mind in American Civilization, 1606–1865* (New York, 1946), is an historical account of the economic ideas advanced to justify (or condemn) government intervention.

[11] *The American Commonwealth*, first published in 1888 (rev. ed., Philadelphia, 1906), p. 167.

the problem? Always there was the second question: according to the Constitution, should the national government, or state or local governments, undertake the action?[12] Today the position that collective action otherwise desirable should not, for reasons of constitutionality, be undertaken by the national government, may seem untenable. Yet during the early decades of our national development it accorded well with American conditions and attitudes, as did the constitutional arrangement itself. The prevailing view that local or state action is always preferable to federal action was in line with the fact that in the pre-industrial phase of our development most problems calling for collective action—aside from those expressly provided for in the Constitution—were local or state in scope. Of course, changing circumstances changed the view of empirical collectivists. The present-day empirical collectivist, in accord with American attitudes, still prefers local or state action to deal with local or state problems, but he is prepared to employ federal action to deal with national problems.

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[12] The way in which empirical collectivism was accommodated to the American constitutional system is revealed by efforts to obtain federal sponsorship of internal improvements during the first half of the nineteenth century. The Constitution expressly granted to the federal government no power to undertake internal improvements. This does not mean that no action was attempted or taken by the federal government: the fight for internal improvements was under way in Congress when Jefferson was inaugurated, and in some form or other it continued throughout the century. Jefferson and his "strict constructionist" successors, though not always as strict in political practice as in constitutional theory, for the most part opposed congressional legislation for internal improvements. But what is ordinarily overlooked is that their opposition was always on constitutional grounds. From their point of view the question was not whether government should undertake collective action for the purpose in internal improvements, but rather whether federal or state governments should assume the responsibility. Jefferson, Madison, Monroe, and Jackson all vetoed congressional bills for internal improvements, yet they did not reject the doctrine that government should undertake collective action to solve public problems. Instead they held that either the Constitution should be amended to give Congress the power to enact such legislation, or the states should undertake the responsibility. In his veto of the Maysville Road Bill in 1830, for example, Jackson maintained that improvement of the road was the duty of the State of Ohio rather than of the federal government. Jefferson and Madison both recommended, at one time or other, passage of a constitutional amendment authorizing Congress to appropriate money for internal improvements. (See, for example, Madison's veto message on the Bonus Bill of 1817.) Clearly their opposition to congressional legislation for internal improvements was not founded on a belief that government should not undertake collective action for such public purposes, and their view was not exceptional. The popular sentiment of the time is reflected in the so-called Preemption Act of 1841; Section 8 granted each state 500,000 acres of public land, proceeds from the sale of which were to be used by the states for internal improvements—"roads, railways, bridges, canals and improvement of watercourses, and drainage of swamps." (The Act is reprinted in part in H. S. Commager [ed.], *Documents of American History* [3d ed., New York], 1946, pp. 291–92). Since in practice the constitutional barrier proved considerable, most government action taken for internal improvements came from the states, aside from certain undertakings during the administration of John Quincy Adams, or exceptional undertakings during the administration of "strict constructionist" Presidents. It was New York State, after all, that built the Erie Canal; other states similarly built, either directly or by subsidizing construction with public funds, waterways and railways and, of course, highways. (For a summary account, see J. D. Hicks, *A Short History of American Democracy* [Boston, 1943], pp. 220 ff.) By mid-century the federal government had assumed a major role; between 1850 and 1860, for example, Congress granted about twenty million acres of public lands as subsidies to encourage construction of railroads, especially to the Pacific Coast (*ibid.*, p. 326). In the 1860 presidential campaign the platforms of all political parties endorsed the principle that the federal government should promote the opening of the Far West by sponsoring railroad construction. (See K. Porter [ed.], *National Party Platforms* [New York, 1924], pp. 52–58.)

When undertaking collective action to solve a public problem, a whole arsenal of means is available to an agent of the community for achieving its purpose. If the agent is a government, it can not only encourage, compel, restrict, regulate, prohibit—it can also directly engage in the operation of public enterprises. For doctrinaire reasons European socialists have strongly favored government ownership and operation of the means of production as *the* technique for achieving collectivist aims. The American empirical collectivist in contrast makes no fetish of public ownership as a corollary of collectivist doctrine.[13] This distinctive position of the empirical collectivist regarding public ownership is, like his position regarding federal action, in accord with predominant American attitudes, attitudes which can be understood only in terms of experiences peculiar to the American people.

Never in this country has the ideal of private ownership of property been seriously challenged, let alone repudiated, within the collectivist tradition, and generally private rather than public enterprise has been avowedly favored. The explanation of this tender regard for private property, which pervades American thought and practice, is not obscure. Indeed, more than a century ago de Tocqueville pointed it out: "As everyone has property of his own to defend, everyone recognizes the principle upon which he holds it."[14] Perhaps de Tocqueville's statement exaggerated the extent to which property-holding was distributed in America even in the 1830's. But his explanation is essentially sound, for even today Americans who do not own property not only aspire to acquire it, but also believe that they have an opportunity to do so.

It is sometimes overlooked, however, that the American ideal of private ownership is of property widely distributed in the small holdings of individuals. Between this ideal—which Americans have always been jealous to preserve—and large corporate property-holding, founded on absentee ownership, a distinction must be, and always has been, drawn. The property of a large corporation has never been treated on equal terms with the property of the small individual owner. In fact, despite the inability of the Supreme Court to discern the difference between a "natural" person and a "fictitious" person, and despite the mystical doctrine that "juristic persons" are endowed by the Constitution with rights entitling them to "due process of law," the American people have generally displayed a marked antipathy towards wealth concentrated in large corporations. The wave of anti-chain store sentiment which swept the country during the 1930's was simply another manifestation of the long-standing

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[13] See Coker, p. 547.

[14] *Democracy in America,* Vol. 1, p. 245.

American hostility towards the "interests," and was not at all unlike the popular sentiment against the symbol of economic privilege in Jackson's day, the "Bank," or against the "trusts" at the turn of this century.

The American attitude towards private property rights is frequently misunderstood in other ways. Never has the right of private ownership been espoused as an absolute right against government authority. Theodore Roosevelt, who was a conservative before he was a progressive, voiced an accepted attitude when he said that "every man holds his property subject to the general right of the community to regulate its use to whatever degree the public welfare may require it."[15] Americans have never entertained the view that individual rights of private property take precedence over the collective right of the community to act in the public interest.[16]

The empirical collectivist, in accord with American attitudes regarding private property, has stressed regulation of the use of private property instead of demanding, on grounds of principle, public ownership. He realizes that, after all, it is the use, not the ownership, of property that contributes to or adversely affects the public interest; and from experience he has learned that ordinarily the use of private property can be adequately regulated, with the result that outright government ownership is unnecessary. This does not mean, however, that the empirical collectivist is opposed to public ownership as a matter of principle. He has always entertained public ownership as a real possibility; and in those instances where government ownership is essential for effective use of property in the public interest, he has heartily endorsed it.[17]

In view of the American tradition of empirical collectivism, it is ironical that today Great Britain is regarded by so many as the home of "democratic socialism," while this country is still thought of as the last bastion of individualism. In actuality, the pervasive influence of empirical collectivism in American thought and practice is sharply underscored by the contrast in public policies adopted in the United States and Great Britain. Many programs long advocated by British collectivists but only recently adopted as public policies have a venerable history of whole-hearted acceptance in this country.

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[15] *The New Nationalism* (New York, 1910), pp. 23–24; also note pp. 241 ff. This idea is not of twentieth-century vintage. In the famous Charles River Bridge case (1837), Chief Justice Taney asserted: "While the rights of private property are sacredly guarded, we must not forget, that the community also have rights, and that the happiness and well-being of every citizen depend upon their faithful preservation" (11 Peters 420). Cf. F. W. Coker, "American Traditions Concerning Property," AMERICAN POLITICAL SCIENCE REVIEW, Vol. 30, pp. 1–23 (Feb., 1936).

[16] Indicative of this is the power of eminent domain, provided for in the United States Constitution (Amendment V) and in state constitutions. Indeed, as Professor Coker has observed: "Private property is itself a highly collectivistic institution, depending for its existence upon very substantial restraints, rigorously applied by the organized force of the community, upon individual freedom" (*Recent Political Thought*, p. 559).

[17] The millions of dollars invested in public forests, parks, highways, and institutions testify that the American ideal of private ownership of property does not preclude public ownership when Americans deem that policy advisable. The postal system is an obvious example of public ownership and operation. When the Republic was formed, one need was for a system of mail communication which would be both reliable and inexpensive. Private enterprise had not responded during the days of the Confederation to such an unprofitable undertaking as providing postal service, and local and state governments were incompetent to set up a national system. In the same year that the Constitution was adopted, the federal government established the United States Postal System; in 1789 Samuel Osgood was appointed the first Postmaster General (though under the Articles of Confederation there had likewise been such an office). Since then the functions of the Post Office Department have steadily expanded, as private and state agencies have failed to serve the needs of the American people for inexpensive and reliable postal service.

An example is the provision for educational opportunity for all citizens at government expense. A problem confronting the political community in early America was how to cultivate a literate and enlightened citizenry. The problem was defined not in doctrinaire terms but as a practical question of public policy, and it was resolved through collective action by the program of tax-supported schools.[18] The progressive expansion of the public school system was such that even in 1835 de Tocqueville saw fit to write: "In no country of the world do citizens make such exertions for the commonweal. I know of no people who have established schools so numerous or efficacious."[19] By 1850, almost a quarter of a century after passage of the Massachusetts High School Law, the principle of public, tax-supported education had become firmly established in America. The state universities which now flourish, especially in the new regions of the United States, are further evidence of American acceptance of the principle that collective action should be employed to provide equal educational opportunities at government expense.[20]

In contrast, the old parish schools and the selective "public" schools long supplied the fortunate English children with their elementary education. Tax-supported schools in Britain are a recent innovation, coming actually within the memory of people still living, in the latter part of the nineteenth century; and only in recent decades has free public education in Britain even approached in extent the American system. Even now private schools account for a considerable portion of the students in elementary and secondary, and notably higher, schools, with the result that an adult education program—supported to a considerable extent by private funds—still thrives in England.

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[18] The Constitution of the State of Indiana is illustrative; in 1816 it provided: "Knowledge and learning, generally diffused throughout the community, being essential to the preservation of free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide, by law, for a general and uniform system of Common Schools, wherein tuition shall be without charge, and equally open to all" (Art. 8, Sec. 1). Actually the history of free public education in America began with the earliest years of the Massachusetts Bay colonies when, for the purpose of frustrating the activities of "the old deluder Satan," the Massachusetts School Law of 1642 imposed upon the towns the duty of providing all children with an opportunity to learn to read and write; in 1647 the law was strengthened and became a model for other colonies to follow. More than a century later the Northwest Ordinance of 1787, the organic act for the territory around the Great Lakes, asserted that "schools and means of education shall forever be encouraged." This was no empty proclamation, for as their constitutions were accepted and they were admitted to the Union, the new western states did provide for free public education. See, for example, "Public Instruction in Michigan," *The United States Magazine and Democratic Review*, Vol. 2, pp. 370–81 (July, 1838).

[19] *Democracy in America*, Vol. 1, p. 91. In 1903 Professor Turner echoed de Tocqueville's remark: "By its system of public schools, from the grades to the graduate work of great universities, the West has created a larger single body of intelligent plain people than can be found elsewhere in the world" (*The Frontier in American History*, pp. 266–67).

[20] By 1850 there were fifteen state universities, mostly in the West and South. The Morrill Act of 1862 granted thirteen million acres of public lands to states for the institution and promotion of agricultural and mechanical colleges.

The lag between the United States and Great Britain in adopting such collectivist programs as tax-supported schools can in part be explained by the half-century interval between the time democratic self-government became an American dogma and ceased to be a British heresy. In America the theory and practice of democracy emerged as a national phenomenon during the period between Jefferson and Jackson, when the Great Experiment so ridiculed by British statesmen took the definitive form that Alexis de Tocqueville reported in the 1830's. As the suffrage was extended to larger and larger segments of the people, democratic government became accepted, at least among the great mass of the population and their political leaders.[21] In 1835 de Tocqueville was sufficiently impressed with the vigor and extent of democratic sentiment to refer to the United States as "the most democratic of nations," where "the majority governs in the name of the people."[22] By mid-century the distinctive character of American political thought and practice was firmly set: democratic beliefs had been translated into democratic action.

Those British reformers who agitated for equalization of opportunity (including educational opportunity) by means of collective public action were likewise democrats. But their struggle was long and hard, and their success awaited national acceptance of the theory and practice of democracy. It was in the 1840's that the Chartists' petitions for such "treasonable" demands as manhood suffrage, a secret ballot, annual elections, and payment of members were officially denied by Her Majesty's Government, and that, in a state of near-civil war, the Chartist movement was brutally crushed by use of troops at the loss of a considerable number of British lives.[23] The "country party"—a key feature of British democratic politics—developed in England only after the extension of the suffrage. The first British party caucus—the Birmingham caucus of Joseph Chamberlain—was held in the late 1860's, more than a generation after the practice of nominating candidates by state and national party conventions had become firmly established in America. And the vote was extended to the great mass of British citizens not after the Great Reform of 1832 but only after the Tory Democrat, Benjamin Disraeli, took the "leap in the dark" with the 1867 Reform Act. With this Act, passed over the strenuous opposition of those very people who had benefited most from the Great Reform, the English workingman for the first time was allowed to vote in a British election. It was only after the recent war (in 1946) that property qualifications were abolished in English local elections. A few years later (in 1948) the principle of "one man, one vote" was finally incorporated into British law; this reform ended the privilege of casting a double vote, a privilege enjoyed by those fortunate enough either to possess the requisite property qualifications outside the constituency in which they resided or to be among the favored few to hold a degree from one of the select British universities (which, taken together, annually grant fewer degrees than any one of several of America's larger universities). Even today the principle of equality, which has had a prominent and virtually unchallenged position in American political thought (despite certain inconsistent practices) ever since the Declaration of Independence proclaimed as a self-evident truth that "all men are created equal," is gingerly espoused by all but the most "radical" British statesmen, and still has for many British ears an alien ring.

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[21] In the first decade of the century, Maryland had led the way by proclaiming universal manhood suffrage in its amended Constitution; other states, notably the new western states (of the Mississippi Valley), followed in such course that by 1830 the "democratic franchise" had become the rule. See K. Porter, *History of the Suffrage in the United States* (Chicago, 1918).

[22] *Democracy in America*, Vol. 1, pp. 173, 245.

[23] See M. Hovell, *The Chartist Movement* (2d ed., London, 1925), and "Chartism," Ch. 13 in G. Wallas, *The Life of Francis Place* (3d ed., London, 1918), pp. 353–84.

Though in America the collectivist tradition anticipated by more than a century the rise of democracy, at least at the national level, it was the democratic process of government which finally enabled empirical collectivism to be converted from thought to practice on such an extended scale that it could pervade all American public policy. This historical connection between American democracy and empirical collectivism is, of course, not coincidental, for both bear the marks of frontier influence. As with empirical collectivism, the impetus behind the development of American democracy largely came, as Professor Turner maintained, from the experiences of American pioneers.[24]

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[24] "The most important effect of the frontier has been the promotion of democracy." And: "The rise of democracy as an effective force in the nation came in with the Western preponderance under Jackson and William Henry Harrison, and it meant the triumph of the frontier" (*The Frontier in American History*, pp. 30–31). In his *The Age of Jackson* (Boston, 1946), Arthur M. Schlesinger, Jr. apparently endeavors to take a position contrary to Turner's. Curiously, in his book he does not discuss Turner's thesis nor in his bibliography does he list any of Turner's more important writings. Yet Schlesinger asserts: "The legend that Jacksonian democracy was the explosion of the frontier, lifting into government some violent men filled with rustic prejudices against big business, does not explain the facts, which were somewhat more complex. Jacksonian democracy was rather a second American phase of that enduring struggle between the business community and the rest of society which is the guarantee of freedom in a liberal capitalist state." Jacksonian democracy, he contends, was basically a "revival of Jeffersonianism, but the Jeffersonian inheritance was strengthened by the infusion of fresh influences; notably the anti-monopolistic tradition, formulated primarily by Adam Smith . . . ; and the pro-labor tradition, formulated primarily by William Cobbett . . . ." Thus, Schlesinger concludes: "The basic Jacksonian ideas came naturally enough from the East." (See Ch. 24, "Jacksonian Democracy as an Intellectual Movement," pp. 307–308.) The influence of Jefferson on the Jacksonian democrats and their opposition to "monopoly" have long been recognized, though in what sense anti-mercantilist thinking amounted to a "fresh" influence is far from clear; the Jeffersonians frequently refer to Adam Smith, the Jacksonians rarely do. What is original with Schlesinger is his contention that the "pro-labor" ideas of the East, rather than the pro-agrarian ideas of the West, influenced Jacksonian democracy. At no point, however, does he demonstrate either (1) that pro-labor ideas of the East

And those political movements that were inspired by frontier experiences reflect most clearly American democratic sentiment conjoined with empirical collectivist doctrine.[25] For example, the Populist movement, which swept the western regions in the 1890's, mixed, in the People's Party platform of 1892, demands reflecting both democratic and collectivist convictions long popular on the frontier: the Australian ballot, initiative and referendum, and direct election of Senators were called for, along with government ownership and operation of railways, telephone, and telegraph systems, graduated income tax, and postal savings banks.[26] Fused democratic and collectivist convictions were summed up by Senator Robert M. LaFollette in 1912 in a statement that became a battle-cry of the Progressives in their struggle for "direct democracy": "The great problem of legislation before us is first for the people to resume control of their government, and then to protect themselves against those who are throttling competition by the aid of government."[27]

Indeed, the significance of the American tradition of empirical collectivism cannot be appreciated unless the relation between American collectivism and democracy is clearly understood. Empirical collectivism is not simply consonant with democracy: it is an essential complement.

The American Republic was founded on the doctrine that the sovereign people institute government to serve their common needs. This doctrine of

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influenced Jacksonian thought or practice, or (2) that pro-agrarian ideas of the West did not. As Joseph L. Blau, editor of a volume entitled *Social Theories of Jacksonian Democracy; Representative Writings of the Period, 1825–1850* (New York, 1947), points out in a bibliographical note (p. vi), Schlesinger errs in equating the Jacksonian "laboring class" with present-day industrial "wage workers." (Incidentally, in that collection of extracts from writings of twenty-six "Jacksonian democrats," there is no reference to the English journalist, Cobbett). In explaining the "more complex facts," Schlesinger confines himself to isolated statements and actions of certain minor Massachusetts figures (mainly lawyers in the course of their professional duties) of dubious Jacksonian pedigree. (See Ch. 26, "Jacksonian Democracy and Industrialism," pp. 334–49.)

[25] According to Turner, in the thought of Thomas Jefferson, the founder of America's first tax-supported state university as well as the father of "agrarian democracy," it was the frontier influence that was most significant. And it was Henry Clay of Kentucky who advanced a comprehensive program for national development, his "American system," the two key points of which were internal improvements and protective tariff. The newly-founded Republican Party selected Abe Lincoln of Illinois as its presidential candidate, and its 1860 platform called for congressional appropriations for river and harbor improvements and legislation to encourage construction of railways to the Pacific Ocean. It was Lincoln's administration that enacted, in the space of three months, the Homestead Act, the Pacific Railway Act, and the Morrill Act. "The Greenback movement and the Granger movements," says Turner, "were appeals to government to prevent what the pioneers thought to be invasions of pioneer democracy" (*The Frontier in American History*, p. 276). The Grangers, "alarmed over the future of the free democratic ideal," turned to legislation as the method of collective action; they were responsible for the many state laws providing for the regulation of railroads to protect the public interest.

[26] Porter, *National Party Platforms*, pp. 166–69.

[27] From a speech delivered in Philadelphia, February 12, 1912, at the annual banquet of the Periodical Publishers' Association; reprinted in *LaFollette's Autobiography: A Personal Narrative of Political Experiences* (6th ed., Madison, Wis., 1913); see pp. 790 ff.

popular sovereignty became a point of departure for subsequent democratic thinkers; and from it American democrats, instructed by their chief prophet, Thomas Jefferson, derived and articulated the central democratic doctrines of political equality and majority rule: (1) all citizens have an equal stake in public affairs and therefore should share equally political rights and duties, and (2) since all have an equal voice, the decision of the political whole should be determined by the vote of the majority. These doctrines, too, so gained the acceptance of the American people that many decades ago they became common denominators in our political heritage. From these doctrines principles have been derived which prescribe an institutional framework for conduct of the process by which political decisions are made. The history of the rise of democracy in America is mainly an account of how the principles implied by these doctrines have been implemented in law and practice.

The democratic process is a method by which answers to questions of public concern are arrived at collectively, in accord with democratic procedures. A question is projected into the public arena for disposition because individual or private group efforts have been found wanting, and the decision is a collective resolution of the question as determined by the majority. The inadequacy of the democratic process in policy-making is that it specifies simply how a collective decision is to be made, but does not help determine what that decision should be; the answer to a policy question may depend entirely upon the improvisations of those participating in the decision-making process.

It is precisely in answering policy questions that empirical collectivism furnishes guidance. In fact, empirical collectivism is to public policy-making what democracy is to the political process itself: it implies a procedure which, when invoked, facilitates collective action. If a collective decision for a policy question is to be democratically arrived at, the question must be posed at a level of discourse where differences of opinion can be clearly drawn through discussion and successfully composed by vote. Policy questions cannot be decided democratically if discussion consists in controversy over "principles" which dictate goals that do not admit compromise. But policy questions can be decided democratically when they are discussed in empirical collectivist terms. Empirical collectivism does not concern a set of goals an ardent champion should strive to achieve, and it entails no final and inflexible program. However, it does serve to expedite and simplify the solution of policy questions dealt with within the democratic process by specifying a procedure to be observed in arriving at decisions regarding collective action.

The empirical collectivist assumes that collective action should be employed whenever necessary to solve public problems, but that the minimal action required to dispose of the problem should be undertaken. In considering a policy question, therefore, he concentrates his attention on the actual situation in an effort to fathom the all-important character of the problem and the conditions for its solution. His initial query is: is this a public problem? No *a priori* answer can be given to this question; the answer turns on the situation itself. If it is decided that the problem is of public concern, then his next question is:

which agent of the community is best able to deal with this problem? Is a local private agency, a county board, a national private organization (such as the American Red Cross), a state bureau, or a national agency best suited? Again he must examine the problem situation in order to arrive at an answer. His final query is: what sort of action is required to dispose of this problem? Each possibility he must canvass, and on the basis of past experiences and future expectations he must select that form of collective action which appears most appropriate. Questions such as these the empirical collectivist can feasibly discuss with his fellows. Their discussion can center on differences of opinion about actual situations, and these differences they can resolve by appeal to experience, by examining the evidence. Thus they can arrive at propitious decisions regarding collective action, and so can settle, in a democratic way, policy questions.

Of course, when policy questions are discussed in terms of their merits, no universal formula for collective action is possible. As the character of problems or the conditions for their solution change, so will decisions about the type of collective action best able to resolve problems. And as our understanding of actual situations varies, so will our opinions about the type of action necessary. Consequently great debates may rage over policy questions, and the policy decisions adopted may vary widely from time to time and place to place. But as long as debates are over questions of policy rather than conflicts of principles, differences can be resolved through the democratic process. At least, differences among empirical collectivists can be so resolved.

Theodore Roosevelt once remarked: "Infinitely more important than the questions that divide us from one another within our limits are the great and fundamental questions upon which we stand alike, without regard to party differences, simply as Americans."[28] It is in this sense that empirical collectivism is a vitally significant tradition: it supplies an underlying agreement in American thought. Never in our history has empirical collectivism been seriously challenged, let alone repudiated; throughout our entire development, from the time town meetings regulated grazing on the village commons or drafted villagers for work on public roads, down to the recent period when Congressional legislation has provided for military service and public housing, application of the doctrine is manifest. Yet no identifiable political movement or creed has ever preëmpted empirical collectivism as its own. The tradition is so strong and pervasive, the doctrine so widely accepted by American democratic thinkers and leaders, that even those the most extreme on policy questions, whether "radical" or "conservative," at least tacitly assume the validity of empirical collectivism. In William James's famous phrase, all "tough minded" Americans are empirical collectivists. Whether we examine the political testaments of Theodore Roosevelt or Woodrow Wilson, Herbert Hoover or Franklin D. Roosevelt, we find espoused the doctrine they all shared: collective action should be employed when necessary and as necessary to solve practical problems confronting the polical community.

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[28] *The New Nationalism,* p. 145.

It is clear, for example, that Theodore Roosevelt articulated the American doctrine of empirical collectivism rather fully in the collection of his speeches published in 1910 under the title *The New Nationalism.*[29] But if we attend strictly to doctrine, we find that the Democrat Woodrow Wilson shared with Roosevelt an acceptance of empirical collectivism. And so it was also with Herbert Hoover and Franklin D. Roosevelt.[30] Thus, in speaking of unemployment relief, Hoover asserted the empirical collectivist principle: "Under our system relief is the first obligation of the individual to his neighbors, then of institutions, then of local committees, and then of State Governments. The moment the need exceeds the honest capacities of the local agencies, then they must have the support of the Federal Government as the final reservoir of national strength."[31] In strikingly parallel language, Franklin D. Roosevelt, referring to the care of disabled veterans, explained the same principle: "If the individual affected can afford to pay for his own treatment, he cannot call on any form of government aid. If he has not the wherewithal to take care of himself, it is first of all the duty of his community to take care of him and next the duty of his State. Only if under these circumstances his own community and own State are unable, after reasonable effort, to take care of him, then, and only then, should the Federal Government offer him hospitalization and care."[32]

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[29] "Our basic problem in the twentieth century," he declared, "is to see that the marvelously augmented powers of production bequeathed to us by the nineteenth century be made to administer to the needs of the many rather than be exploited for the profit of the few" (p. 126). In view of this problem, he held that "It is indispensably necessary, in order to preserve to the largest degree our system of individualism, that there should be effective and organized collective action" (p. 128). To solve the problem, he believed in "steadily using the power of government to secure economic democracy as well as political democracy" (pp. 239–40). For, he pointed out, "it has become entirely clear that we must have government supervision of the capitalization, not only of public service corporations, including, particularly, railways, but of all corporations doing an interstate business" (p. 14). Like all American democrats, he assumed that "the object of government is the welfare of the people" (p. 31). "Now to preserve the general welfare, to see to it that the rights of the public are protected, and the liberty of the individual secured and encouraged consistent with this welfare, and curbed when it becomes inconsistent therewith," he argued, "it is necessary to invoke the aid of government. There are points in which this government aid can best be rendered by the states; that is, where the exercise of states' rights helps to secure popular rights; and where this is true . . . I believe in states' rights. But there are large classes of cases where only the authority of the national government will secure the rights of the people; and where this is the case, I am a convinced and thoroughgoing believer in the rights of the national government"(p. 54).

[30] In a well-known little book published in 1922, Hoover defined the problem as he saw it: "To curb the forces in business which would destroy equality of opportunity and yet to maintain the initiative and creative faculties of our people are the twin objects we must attain" (*American Individualism* [Garden City, 1929], p. 54). Some years later he laid down the essentially collectivist principle that "the nation must protect its people from catastrophes beyond their control." "The economically successful," he argued, "must carry the burdens of social improvement for the less fortunate by taxes or otherwise. Child labor, health, sweated labor, old age, and housing are but part of our social responsibilities" (*Addresses upon the American Road, 1933–1938* [New York, 1938], p. 295. These remarks are from an address entitled "Economic Security and the Present Situation," delivered at Chicago, December 16, 1937; for the full address, see pp. 287–99). Furthermore: "The growing recognition of public responsibility in the advancement of general welfare requires new commitments of government" (*The Challenge to Liberty* [New York, 1934], p. 145). "We have developed State and Federal regulation of competition through anti-trust laws by which we compel competition. . . . In the semi-monopolies, we have developed the regulation of rates, services, or profits in canals, turnpikes, railroads, ferries, electric power, gas, water, telegraphs, telephones, radios, and others. We have regulated the businesses engaged in public trusts such as banks, insurance companies, building and loan associations, and others. We have required purity and proper presentation of goods. We have established the protection of health, and conditions of labor of men, women, and children. We have insisted on fair competitive action, and acted in a score of other directions. Such regulation must be periodically revised but the long history of these advances demonstrates that Democracy can remain master in its own house" (*ibid.*, pp. 158–59).

Franklin D. Roosevelt and Herbert Hoover, or Theodore Roosevelt and Woodrow Wilson, may have differed as to the specific decision which they thought should be adopted as a public policy, because they sometimes disagreed about the character of a problem or the conditions for its solution. But though their views of situations may have diverged, never did they disagree about the empirical collectivist principles upon which a decision should rest. To parody Thomas Jefferson's well-known remark, as Americans they were all individualists and all collectivists—empirical collectivists.

We may conclude that all Americans of democratic conviction (and outside the "lunatic fringe" there are few who profess contrary convictions), no matter how widely they differ about the specific provisions of a proposed policy, need have no difficulty in agreeing that collective action should be employed when necessary and as necessary to solve public problems. Sharing this underlying agreement, protagonists of programs can proceed, undistracted by doctrinaire charges or lamentations about "creeping socialism" or "rugged individualism," to discuss public problems in those terms most conducive to satisfactory solution. When they discuss questions in concrete and practical terms, they will be drawing on a priceless tradition of empirical collectivism—a tradition which has been developed and perpetuated by many generations of hardheaded Americans, schooled in the living facts of political life in a democratic society.

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[31] *The Challenge to Liberty*, p. 106.

[32] *On Our Way* (New York, 1934), p. 166. And, like Herbert Hoover and other empirical collectivists, Franklin Roosevelt asserted: "It is up to the government to maintain its most sacred trust, the welfare of its citizens"; in the field of economic enterprise "such a trust requires the regulation of such balance among productive processes as will tend to a stabilization of the structure of business. That such balance ought to be maintained by cooperation within business itself goes without saying. It is my hope that interference of government to bring about such a stabilization can be kept at a minimum, limiting itself perhaps to a wise dissemination of information" (*Looking Forward* [New York, 1933], p. 243).

RECENT POLITICAL THOUGHT IN THE SOUTH

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In a study of recent political thought in the South, it is necessary to delimit the area called "The South." Howard Odum included fourteen states in his practical design for the "southern regions."[1] The President's Committee which reported in 1938 on economic conditions in the South covered thirteen states.[2] The southern governors of fifteen states joined in the regional educational compact.[3] The *Manufacturers' Record*, published in Baltimore as the industrial organ of the South, reaches out to sixteen states.[4] V. O. Key limits his study, *Southern Politics*, to those eleven states which have consistently stayed with the national Democratic party.[5] This author in the main refers to the eleven states which once seceded to form the Confederacy; coincidentally, these are the same eleven states that Key found to be "solid" in national politics.

With professional predilection, Francis B. Simkins maintains that "History not geography made the Solid South."[6] The most noted historian of the South, U. B. Phillips, holds that the central theme of southern history is racial security and white supremacy. The South is united in "a common resolve, indomitably maintained, that it shall be and remain a white man's country."[7] V. O. Key, as a political scientist observing present patterns of political behavior, comes to the same conclusion; it is the whites of the black belt which give to the South its dominant political tone.[8] But neither the historian nor the political scientist can quite explain the South, for the South is a myth, a dream, a sentiment, a prejudice.

I. PROFESSIONAL SOUTHERNERS

The movie *Gone With the Wind* opened with these fine words: "There was a land of Cavaliers and cotton." In his book, *Below the Potomac*, Virginius Dabney comments, "What could be more grotesque?" He is justly indignant at the phantasmagoria that has come to stand for the Southland—"A Dixie swarming with goateed gentlemen in broad-brimmed black hats, whose conversation consists chiefly of a reiterated 'Suh, suh,' and 'By God, suh!' and who sit on their verandahs in the honeysuckle-laden air, inhausting mint juleps to the strains of *Old Black Joe*."[9]

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[1] *Southern Regions of the United States* (Chapel Hill, 1936).

[2] National Emergency Council, *Report on the Economic Conditions of the South* (Washington, Government Printing Office, 1938).

[3] 80th Cong., 2nd sess., Senate, *Giving the Consent of Congress to the Compact on Regional Education Entered Into Between the Southern States at Tallahassee, Florida, February 8, 1948* (Washington, Government Printing Office, April 13, 1948).

[4] *Manufacturers Record*, Sept., 1940, p. 5.

[5] (New York, 1949), p. 10.

[6] "The Everlasting South," *Journal of Southern History*, Vol. 13, p. 308 (1947).

[7] "The Central Theme of Southern History," *American Historical Review*, Vol. 34, p. 31 (1928–29).

[8] *Op. cit.*, p. 5.

But the Professional Southerner has been influential in interpreting the South to the nation and to a certain extent has actually succeeded in making Southerners look at themselves in the mirrors of distortion. He rises to the tune of Dixie and defiantly parades the Stars and Bars across the football stadiums. Ostentatiously carrying on what he always refers to as "the War between the States," he continues to breed distrust within the region and misunderstanding without. He resents all criticism of the South and, whenever Washington proposes national regulation or federal aid, he calls on the Constitution to protect state rights. He makes a political fetish of chivalry, rushing to defend the honor of white women against racial rape, whenever civil liberties are invoked. Because his grotesque performances and fatuous opinions make good reading in the newspapers or sound amusing over the radio, he has become the stereotyped Southerner, Senator Claghorn.

In terms of political behavior, the Professional Southerners were the Dixiecrats in 1948, who campaigned against admitting Negroes to "our homes, our theaters, and our swimming pools." They nominated Governor Thurmond of South Carolina for President and Governor Wright of Mississippi for Vice-President. That the Truman platform on Civil Rights had no such objectives as the Dixiecrats mendaciously declared it had, in no way detracted from the fervor of the crusade of the self-styled "true white Jeffersonian Democrats." They carried only four states, where the proportion of Negroes was high in the population. And Key, in analyzing the election returns in these states, intimates that Alabama and Louisiana went Dixiecrat not so much because of any merits of their cause but because of slick political maneuvers which made the Dixiecrat candidates the Democratic nominees in those states.[10]

It would, of course, be gratifying to turn to the academic profession in the region, to the historians, the economists, and the political scientists, for the most intelligent approach to southern political theory. However, it would also be something of an affront to consider their works to be "southern" merely because they were born in the South or came to teach in the South. It would be patently absurd to write of American chemists, southern physicists, New York zoologists. It is no less preposterous to sectionalize the social sciences. The contributions of such distinguished scholars as Woodrow Wilson, W. W. Willoughby, U. B. Phillips, William Dunning, and Francis Coker are universal, not provincial. An academic Southerner is an anomaly.

Southern political thought can best be studied in the popular writings, speeches, and ordinary talk of the people, which are frankly publicized as for and by Southerners. It is not, however, a single sentiment. Except in the curious imaginings of the Professional Southerner, the Solid South simply does not exist. Industrialists and agrarians, Bourbons and liberals, cotton planters and tenant farmers, mill owners and mine workers, conservatives and radicals, realists and dreamers, professors and politicos —all these are Southerners, and among themselves they think quite differently.

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[9] *Below the Potomac* (New York, 1942), p. 3.
[10] *Op. cit.*, pp. 329–344.

II. THE NEW SOUTH

Probably in no other region is the past so pervasive in the present as it is in the South. About the turn of the century, however, southern publicists were heralding the appearance of the New South, and it is with this New South that we arbitrarily date our definition of "recent." In 1889 Henry Grady, editor of the Atlanta *Constitution*, at a banquet of the New England society, spoke his famous piece: "There is a New South, not through protest against the Old, but because of new conditions, new adjustments, and if you please, new ideas and aspirations. . . . This New South has sowed towns and cities in place of theories and put business above politics."[11]

Walter Hines Page may be taken as a pioneer representative of liberal political thinking in the New South. Born in North Carolina in 1855, he was ten-years-old when he saw General Sherman's soldiers pass his home, and he knew first-hand what scalawags, carpetbaggers, regulators, and the Ku Klux Klan meant to the South in reconstruction. But he took up the Grady theme, the New South. An early essay of his in the *Atlantic Monthly* prefigured "The Rebuilding of Old Commonwealths," holding that the two great constructive forces in the New South would be, first, "industrial development which would finally work out the inherent democratic tendency of the people, if no other force were brought into play," and, second, the "new impulse in education which frankly recognizes the arrested development of the people and is taking hold of the problem of their natural growth."[12]

Walter Hines Page became a literary success in Boston and New York, as editor of the *Atlantic Monthly* and publisher of *World's Work*, the *Outlook* and *Everybody's Magazine*. He also represented the United States at the Court of St. James during the difficult war years of the Wilson Administration. But he never worked harder nor more earnestly than he did in and for the South. He early fought the "Mummies" in North Carolina, but found it "an awfully discouraging business" because you can't prove to a mummy that he is a mummy.[13] Jeering at the Three Ghosts—Confederate Dead, Religious Orthodoxy, and Negro Domination—he called upon the South to bury its dead past and live a new life.[14]

Page was most concerned for what he called "the forgotten man and the forgotten woman." A Jeffersonian Democrat believing in equality of opportunity and the right of every man for self-improvement, he had no tolerance for the wornout tradition of southern aristocracy. He was a practical man with none of the sectional sensitivity about asking help from outside. Capitalizing on his journalistic preëminence, he publicized the needs of his native region and scoured the nation for the financial assistance and technical aid that were necessary for the improvement of agriculture, public health, and education in the South. His achievements as a writer and diplomat on the national and international scene are noteworthy, but he himself would prefer to be remembered by his work for social progress and democracy in the South.

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[11] Quoted in Raymond B. Nixon, *Henry W. Grady* (New York, 1943), p. 246.

[12] "The Rebuilding of Old Commonwealths," *Atlantic Monthly*, Vol. 89, pp. 651–661 (1902).

[13] Burton J. Hendrick, *The Earlier Life and Letters of Walter H. Page* (London, 1928), Ch. 6, "North Carolina and the Mummies."

[14] Hendrick, *The Life and Letters of Walter H. Page* (New York, 1922–25), Vol. 1, p. 45.

Page was tremendously concerned with the emigration of southern youth and southern talent from the region, and it was a lifetime work with him to encourage vocational and professional education in southern schools so that the young people would not have to go elsewhere for employment and success. Public education is still the key to southern liberalism. The current "compact for regional education," conceived by Governor Millard Caldwell of Florida in 1948, is aimed at the same problem which so concerned Walter Hines Page in the first decade of the century. Page was not too proud to be willing to ask for and bring in northern money to finance his program. The southern governors today are more self-reliant; they insist that, if the southern states will pool their resources and if each state will not attempt to offer every kind of graduate and professional training, the South can educate its young people in the region and keep them at home to contribute to the wealth and leadership of their own communities.

Industrialization is also a continuing theme in the New South. Reporting on "The South Astir," H. L. Mencken, a most unprofessional Southerner from Baltimore, observed that "The New South can no more do without industrialization than the New Russia."[15] The spectacular speed of industrialization in the past twenty years has made it fairly clear that the New South is not a colonial region. When Jonathan Daniels, editor of the Raleigh *News and Observer*, "discovered the South" he found mill towns all the way down "Gold Avenue" from Danville, Virginia, to Birmingham, Alabama.[16] Paper and pulp mills compounded the fragrance of magnolia blossoms in the Spring. Old Dupont de Nemour, physiocrat doctrinaire, friend of Jefferson, would be profoundly shocked to know what this generation of Duponts has done to the southern countryside.

The Chambers of Commerce, the Kiwanians, the Rotarians, the Exchange Clubs and the businessmen's luncheon clubs throughout the region belie the southern tradition of agrarian conservatism. The members of such groups are up-and-coming, determined to bring capital into their hometowns on almost any terms. They advertise in the national business journals: "Come to Savannah"—"Come to Jacksonville"—"Come to Natchez." The South, they urge has raw materials, unequalled climate, hydroelectric power, and cheap, native, non-union labor. There is no political ideology here, simply pragmatic economics: the South will be prosperous when it is industrialized.

Broadus Mitchell from Johns Hopkins gave an academic endorsement to this approach:

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[15] *Virginia Quarterly Review*, Vol. 11, p. 53 (1935).

[16] *A Southerner Discovers the South* (New York, 1938).

> All of our social gains in the South have been associated with the advance of industry, employment for the poor whites, urban growth with all the activity this implies, sound banking, establishment of a wage system, greater productivity of wealth and its more even distribution, larger tax yields, better schools and roads, improvement of farming methods and the growth of many governmental services. If it is absurd to deplore the arrival of manufacturers, it is criminal to try to ignore the development.[17]

Industrialists who call themselves realists measure the progress of the region with the statistics of a materialist civilization—bath tubs, screen doors, electric washing machines, television and four-lane highways. They are not afraid that gracious living will disappear in the process of industrialization. They see no reason why a poor man will lose his soul because of operating a tractor instead of ploughing behind a mule. They are quite certain that industrialization will increase the purchasing power of the region so that the children of the forgotten man and the forgotten woman will be able to buy more of the finer things of life.

An influential spokesman of the industrial realists in the New South was David Clark of Charlotte, North Carolina, editor of the *Southern Textile Bulletin*, founder of the Southern Textile Association. In 1933, the Editor wrote with due modesty in his *Bulletin:*

> We induced Roland Dagenhart of the Fidelity Mills, Charlotte, N. C., to apply for an injunction to prevent the Fidelity Mills from not employing his two sons.
>
> We induced the Drexel Furniture Company of Drexel, N. C., to apply for an injunction against the collection of the tax.[18]

The student of constitutional law will immediately recognize the background of the cases of *Hammer v. Dagenhart*[19] and *Bailey v. The Drexel Furniture Co.*,[20] in which the United States Supreme Court declared null and void federal statutes designed to prohibit child labor.

When, during the first year of the New Deal, Senator Black of Alabama introduced a bill to provide for a thirty-hour week as an emergency measure to spread employment, David Clark launched a bitter campaign against all maximum-hours legislation. A man over twenty-one, he said, has a constitutional right to work as long as he pleases. The reverberations of David Clark's philosophy were to be heard in the Congress whenever the New Deal or the Fair Deal attempted to promote minimum wages and maximum hours. Freedom of contract is a natural right; the government ought not to interfere in private enterprise; and, if there is need for any regulation, it ought not to come at the federal level. "States' rights" has become the battle cry of the southern industrialists.

In the "fighting South," where the first political virtue is militant patriotism, the smear of communism has been tactically used time and again to smother social and economic reforms.[21] Thus twenty years ago when the A. F. of L.

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[17] "Growth of Manufacture in the South," *Annals of the American Academy of Social and Political Science*, Vol. 153, p. 23 (1931).

[18] *Southern Textile Bulletin*, April 13, 1933.

[19] 247 U. S. 251.

[20] 259 U. S. 20.

[21] Walter Gellhorn, in a recent issue of the *Harvard Law Review*, Vol. 60, pp. 1193–1234

launched its southern drive for membership, its president, William Green, everywhere had to fight the idea that labor unions were communistic. In every speech he prefaced his remarks with the explanation that labor organizations were all-American. A few years later, when the CIO attempted to reorganize the cotton workers into the Textile Workers Union, the A. F. of L. joined the popular cry against "Yankees, Communists, and Jews."[22] Even in 1950, in a post-mortem on the Florida senatorial race, a southern organizer of the A. F. of L. in a press release placed part of the blame for the Pepper defeat on "too many CIO representatives tainted with leftist fever."

David Clark was spokesman of a Bourbon class that is passing from power in southern politics. The new liberals in the South look upon industrialism with enthusiasm but not without misgivings. They have come to realize from rather bitter experience that economic exploitation of the people does not make a region rich or happy. Private enterprise must be tempered with social security and civil liberties in the modern democracy.

In *The Shore Dimly Seen*, Ellis Arnall, former governor of Georgia, represents the views of many southern liberals. He maintains that "the industrialization of the South is a certainty in the next two decades," but he is not sure that industrialization spells progress.[23] He is primarily concerned for private enterprise and individual liberties, but, in his economic creed, neither can be maintained without considerable government intervention. He would have the state enforce freedom in various ways: enact statutes against monopoly; legislate to conserve human and natural resources; obtain more federal grants-in-aid for highways, education, and public health on the basis of need rather than on ability to match.

On the subject of states' rights he is frankly realistic. As he puts it:

> It is the duty of a loyal Democrat in campaign years to point out the unrighteous destruction of States' rights by the followers of Hamilton, Marshall, Clay and Hoover; it is also a pleasure. But in somber reality, the States divested themselves of their rights by the same method that a middle-aged athlete divests himself of his muscles; the diagnosis could be atrophy through non-use. . . . The States can regain their rights, if the people believe that their problems can be solved on the State level. . . . But even a native optimism does not encourage me to believe that, for some years to come, "States' Rights" will be used except as an excuse for delaying action on major problems.[24]

In 1946, when he was Governor of Georgia, Arnall thought that the "civil liberties of our people are in no immediate danger of violation; they risk only

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(Oct., 1947), gives a carefully documented analysis of how the Committee on Un-American Activities came to the conclusion that the Southern Conference on Human Welfare was "a most deviously camouflaged Communist Front Organization." The communist *Daily Worker* reported in 1938 that among the 1200 delegates to the Conference there were 5 communists. Subsequently, following the argument of "guilt by association," the House Committee on Un-American Activities has inferred communism in the whole group.

[22] Steve Nance, first regional director of the TWU, had a good Georgia heritage, being the son of a Captain Nance who fought on the grey side in the War between the States. Lucy Mason, public relations director of the TWU, is a direct descendant of Edmund Randolph and James Mason of Virginia.

[23] *The Shore Dimly Seen* (New York, 1946), p. 20.

[24] *Ibid.*, pp. 26–27.

the erosion incident to poverty and the political weakness that accompanies it."[25] Two years later, in *What the People Want,* he was much more alarmed. In the intervening period he had experienced counterrevolution when Herman Talmadge and his cohorts had used some of the techniques of fascism in the *coup d'état* that led to restoration of a Talmadge regime in Georgia.

Arnall calls himself a "libertarian" rather than a "liberal" because the term "liberal" has "been badly smeared today, somewhat by shrewd propaganda but rather more by its misuse by crackpots."[26] He holds that "if the sincere liberals, who believe that freedom is as essential as food, seek or need a label, perhaps they had best revert to that of libertarian." He does not believe that prejudice can be eradicated by legislation, but he does insist that the results of prejudice can come within the law. "It is possible to guarantee freedom of religion, the right to participate in government and the right to speedy and impartial trials in courts of justice."[27]

Arnall, however, resembles that anathema of the region, the "Yankee Southerner." He made a nationwide lecture tour at the end of his gubernatorial career and identified himself with the Democratic Liberals in 1948. As might have been expected, his popularity at home receded in inverse ratio as his prestige grew nationally. When he returned to write *What the People Want* (he asked that question in all sections of the country and found the answers everywhere essentially the same), his views were no longer southern so much as they were nationalist.[28] Many Georgians, inclined to overlook the fact that the Arnall Administration was the most competent in decades, now claim that Arnall traded his sectional loyalty "for the pottage of outside approval."[29]

III. THE AGRARIANS

Entirely at cross-purposes with the industrial realists and industrial liberals are the southern Agrarians. In 1921 a small band of literary artists around Nashville, who called themselves "fugitives," determined to take their stand against current social trends: to resist communism and fascism, industrialism and nationalism. Though the Agrarians channeled their views mainly through their literary organ, the *American Review,* they were also omnipresent in the regional meetings of almost any social interest group of Southerners. Twelve of them in 1930 published a volume, *I'll Take My Stand,*[30] in which they idealized for Dixie a society in which agriculture is the principal vocation and in which the agrarian folk dominate social, economic, and political life.

The Agrarians hold that the heart of America is still given to the ideal of a non-monopoly capitalism, a land of small owners, independent and democratic. They deny that they would turn their backs on progress or lower the standard of American civilization to the bucolic level.

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[25] *Ibid.,* pp. 25–26.

[26] *What the People Want* (Philadelphia, 1948), p. 47.

[27] *Ibid.,* p. 45.

[28] *Ibid.,* p. 251.

[29] Key, p. 128. A more telling example is the case of Judge Waring of Charleston, S. C., who gave the decision in *Rice v. Elmore* (165 F. 2d 387) denying the right of the Democratic Party to set up a private primary for whites only. Judge Waring, virtually ostracized in Charleston, was widely acclaimed outside the region.

[30] (New York, 1930).

Frank L. Owsley, writing in the *American Review* in 1935, indicated specifically what the Agrarians had in mind. He conceded that a portion of the lower-class white tenants are beyond redemption, with diseased tonsils, tuberculosis, hookworm, and malaria. These he viewed as hopeless people, who would be unable to make a living from the land even if the government were to give them farms. Their children, however, might be salvaged by local health departments. The higher-class white tenants, who already owned their stock and worked their own garden patches, could be turned into homestead farmers. He advocated—this was in the early years of the New Deal when no proposal seemed too extravagant or fantastic—that the government (national and state) should buy up all the lands in the South held by banks, insurance companies, and absentee landlords. Qualified tenants should be given eighty acres of land, a loghouse and barn, twenty acres of pasture, two mules, two milk cows and three dollars in cash for the first year. Approximately half a million persons would constitute the nucleus of a new Jeffersonian yeomanry.[31]

Though the Agrarians profess to be working toward Jefferson's yeoman democracy, their expressed inclinations are nostalgic of Calhoun's dream of the Platonic state in the South. John Crowe Ransom conceived a pyramidal social order in the region: "In the South, I believe, it is generally understood that there will always be the men whose courage and intelligence entitle them to own and also the men whose natural quality fits them to work for hire."[32] It is not surprising that the *American Review* came to be charged with pro-fascism, though Allen Tate, one of its editors, protested to the *Nation* that he would join the Communists if the only alternative were the Silver Shirts.[33]

In *Who Owns America?* eight of the original "Twelve Southerners" joined again in a symposium, reëxamining the foundations of our democracy. They returned to the natural rights of the eighteenth century—the rights to life, liberty, pursuit of happiness, self-government and property. The right to property is not mentioned in the Declaration of Independence, but the southern Agrarians made this the *sine qua non* of all other rights. They attribute the crumbling of democracy, the rise of fascism and communism, to the disappearance of private property among the people.

Herbert Agar, in *A Time for Greatness*, relies more upon Federalist John Adams than upon Republican Thomas Jefferson to develop his thesis that men who have no property have no effective part in the government:

> It is such considerations which made our fathers anxious to preserve the widespread ownership of productive property. "Power follows property." If power is to reside in the people, there must be as many families as possible owning the sort of property with which they can look after themselves, thus making themselves free. The simplest example of such property is that of the freehold farm. Hence the emphasis, by so many of our leading democrats for so many decades, on preserving the independent farmer as the backbone of democracy. . . .
>
> The fact that power follows property, that power over a man's support is power over

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[31] "The Pillars of Agrarianism," *American Review*, Vol. 4, p. 529 (1935).

[32] "What Does the South Want?" *Virginia Quarterly Review*, Vol. 12, p. 191 (1936).

[33] Quoted in W. J. Cash, *The Mind of the South* (New York, 1941), p. 382.

> his will, present our modern world with one of its ugliest problems. In our industrial society fewer and fewer people own and control productive property, the sort of property that makes it possible for a man to provide his own security. Yet the old rules hold; when a man becomes economically dependent, he becomes spiritually dependent as well.[34]

The Agrarians scarcely follow the lines of Jeffersonianism as they discuss the obligations of the nation to the farmers.[35] *Laissez faire* is a principle which they would apply to industrial economics but not to agricultural problems. Thus John Crowe Ransom points out that the farmers are in a special class which the nation should be delighted to honor. The government should offer the farmer not less but more services and, at the same time, relieve him almost entirely from present land taxes.[36] George Marion O'Donnell urges that the government transfer the large landholdings from the few to the many, turning the cash plantation system back to subsistence farming. The federal government should reform the tax system which bears so heavily on the farmers by taking over the local government bond issues, since these bonds represent paved highways for interstate traffic.[37] It would seem that the Agrarians oppose the forces of nationalism but are not adverse to the use of federal funds in local government.

The social planners at Chapel Hill also have quite naturally been much concerned with the agricultural problems of the South. Howard Odum, in *Southern Regions of the United States*, stated categorically: "The evidence seems overwhelming that there can be no adequate culture in the South without the reconstruction of its agriculture."[38] Rupert Vance, in *Human Geography of the South*, declared that the reorganization of agriculture is "the primary gigantic task of the South," though he predicted that changes would most likely come from pressure rather than from planning. Urging the need of incorporating livestock production in the staple crop economy, he advocated the development of an adequate forage crop in the region.[39] Clarence Poe, editor of the *Progressive Farmer*, in a Chapel Hill symposium published under the title of *Culture in the South*, likewise emphasized the possibilities of more scientific farming, at the same time that he promoted the ideas of cooperative marketing.[40]

There was more than a tinge of socialism in some of the agrarian movements of the 1930's. For example, the Southern Tenant Farmers' Union, affiliated with the CIO, was definitely socialistic. The preamble to its constitution read: "This organization is dedicated to the complete abolition of tenantry and wage slavery in all its forms and to the establishment of a new order of society wherein all who work shall be given the full products of their toil." The Union was radical insofar as it maintained a policy of equalitarianism in its membership and for its program, opposing all discriminations based on race, sex, color, religion or political views. It was not communistic, however. By its own constitution, it was committed to establish the cooperative society "by legal and peaceful means." In terms of program, it was opposed to the philosophy of the small homestead. When the Special Committee on Farm Tenancy appointed by President Roosevelt made its report approving of the Bankhead-Jones Act in 1939, the Union representatives expressed their minority opinion: "We believe that in the cotton South the small homestead visioned in many of the present proposals is an economic anachronism, foredoomed to failure. . . . It runs contrary to generations of experience of croppers and farm workers in the South—experience which, we believe, could be capitalized in cooperative effort under enlightened Federal supervision."[41]

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[34] (Boston, 1942), pp. 251–253.

[35] Herbert Agar and Allen Tate (eds.), *Who Owns America?* (Boston, 1936).

[36] "What Does the South Want," included in *Who Owns America*, pp. 178–193.

[37] "Looking Down the Cotton Row," *ibid.*, pp. 161–177.

[38] P. 584.

[39] (Chapel Hill, 1932), pp. 493–498, *passim*.

[40] Clarence Poe, "The Farmer and His Future," in W. T. Couch (ed.), *Culture in the South* (Chapel Hill, 1934), pp. 319–343.

IV. THE REGIONALISTS

Southerners who turn nationalist in their convictions, like Walter Hines Page and Ellis Arnall, have tended to leave the South. But those who take their stand in Dixie often prefer the regional solution for southern problems. The Agrarians, with their poetic feeling for the Southland, say that "regionalism is reasonable because it is natural and whatever is natural is persistent and must be rationalized."[42] They also believe that regionalism is aesthetic, and that what is aesthetic is good. They hold that regionalism is justified on economic grounds because a community must adapt itself to the geography of the region before the people can be prosperous and happy. Thus Donald Davidson declares: " 'Regionalism' is a powerful confirmation of the justice of old Southern claims and perhaps also of the desirability of maintaining the differentiations that once were damned and dismissed as sectionalism."[43] And Howard Odum expresses agreement: "Due to the bigness of the nation and to its cultural backgrounds and motivations as well as technological considerations, the regional approach and analysis are fundamental to any successful, permanent, social planning program or procedure in the United States."[44] Rupert Vance's *Human Geography of the South* begins with the "Concept of the Region" and ends with "Reconstructing the Region."

The Chapel Hill group, however, distinguishes the regionalism which it advocates from the historical sectionalism propounded by Turner. To its leading spokesman,

> Regionalism envisages the nation first, making the national culture and welfare the final arbiter; sectionalism sees the region first and the nation afterwards. . . . Regionalism is line breeding in which the regional cultures constitute the base but not the whole of new

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[41] W. L. Blackstone, *Minority Report, Message from the President of the U. S. transmitting the Report of the Special Committee on Farm Tenancy*, 75th Cong., 1st. sess., H. Doc. No. 149 (Washington, Government Printing Office, 1937).

[42] John Crowe Ransom, "Aesthetics of Regionalism," *American Review*, Vol. 2, p. 290 (1934).

[43] "Where Regionalism and Sectionalism Meet," *Social Forces*, Vol. 13, p. 24 (1934).

[44] *Southern Regions*, p. 580.

> evolving cultures. . . . Regionalism implies more of the designed and planned society than sectionalism, which is the group correspondent to individualism.[45]

The idea of regionalism is promoted in the southern governors' interstate compact for education. In 1942 Virginius Dabney, reporting "In Groves of Academe," pointed up the inferiority and the inadequacy of the institutions of higher learning in the region.[46] As he indicated, for many reasons, principally the lack of funds, the southern states have not been able to establish the first-class graduate and professional schools which the region needs to furnish it with leadership and technical skills. Realizing the poverty of the separate states but recognizing also the richness of the region, the southern governors have now proposed an interstate compact to establish regional centers of instruction.

Unfortunately, the determination to push regional education came coincidentally with decisions of the United States Supreme Court requiring that graduate and professional state schools be open on equal terms to whites and Negroes. The Southern Regional Council on Education has categorically denied that the purpose of its program has been primarily to perpetuate segregation in southern education. This, however, was not the interpretation placed on it by many members of Congress when the interstate education compact was before it for approval.[47] Rather than risk a negative vote on the whole project, the sponsors of the compact tactically returned it to committee. Meantime the southern governors maintain that approval of Congress is quite unnecessary since education is constitutionally within the reserved powers of the states. The terms of the compact, accepted by the respective legislatures in the states, are now being put into effect without benefit of congressional sanction.

V. THE DEMAGOGUES

Demagoguery and political exhibitionism at its worst can still be found in Dixie. The political preoccupation with certain peculiar mores of the region have not been conducive to national leadership. The single issue of negrophobia has been sounded over and over in local campaigns. Vardaman of Mississippi, Jeff Davis from Arkansas, "That Man" Bilbo from Mississippi, Gene and Herman Talmadge of Georgia, Cole Blease of South Carolina, over a period of time have tilted against the spectre of the black man in Southern politics. Their views could be heard in the emotional tirade of Senator Vardaman when the United States Senate was debating the Nineteenth Amendment: "A large majority of the Negroes are congenitally, eternally, racially and unalterably incompetent and unfit to perform the supreme function of citizenship."[48] Cole Blease put it more dramatically in a local campaign in South Carolina, when he was defending lynch law in the South: "Whenever the Constitution of the United States comes between me and the virtue of the white women of the South, I say to hell with the Constitution."[49]

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[45] Odum, pp. 253–259, and *passim.*

[46] *Below the Potomac*, pp. 139–176.

[47] *Congressional Record*, 80th Cong., 2nd sess., Vol. 94, pts. 4–5 (May 6–13, 1948), *passim.*

[48] *Ibid.*, 63rd Cong., 2nd sess., Vol. 51, pt. 5, p. 4338 (March 5, 1914).

In line with their determination to keep this a "white man's country" has been the exaggerated concern of certain southern demagogues about "Un-American Activities." In the 1920's Tom Heflin of Alabama, advocating restricted immigration, ranted to his colleagues in the Senate that they were "filling this land with Bolsheviks, with Anarchists, with kidnappers and with people who are deadly enemies of the American form of government."[50] Years later, Martin Dies, representative from Texas, insisted that "the primary cause of unemployment is immigration," and claimed that our immigration policy was dominated by "sentimentality, fatuous internationalism, industrial greed and alien political influence."[51] Bilbo's "Dear Dago" letter to a woman in Brooklyn on the subject of FEPC was in the same vein.[52] Such tirades, however, do not generally represent southern opinion, which appears rather indifferent to "the dangers of alienism" since immigration has not been a major southern problem.

The evangelical churches have had an extraordinary influence on the politics of the region. The WCTU and the Anti-Saloon League long kept intact their dry stronghold in the South, with Upshaw from Georgia and Sheppard of Texas spearheading in the Congress for the Protestant Church in Action, and crusading for National Prohibition. The Ku Klux Klan has raised its fiery crosses against Negroes, Jews, Catholics, and communists, and for years Tom Heflin from Alabama carried on a one-man feud in the Senate against the Roman papacy. The effect of such appeals was evidenced by the ground swell of bigotry in the presidential elections of 1928.

Another aspect of southern demagoguery, however, deserves more respectful attention. Southern demagogues have played upon the emotions and prejudices of the ignorant voters, but many have also worked at the same time to meet popular demands and needs. Tom Watson of Georgia is probably more representative of the New South than Henry Grady, for Tom Watson headed the dispossessed in the land, the many against the Bourbons who were the few. As leader of the Populist Movement in Georgia, he was elected to Congress in 1890. He himself considered as the high-light of his long and active career his first session in Congress, when he championed the eight-hour day and authored the first appropriation bill for rural free delivery.[53] A shrewd and ruthless politician who used all the slogans of a southern demagogue—sectionalism, racialism, anti-semitism, anti-Catholicism—he offered the people not only what they wanted in emotional excitement but also what they needed in material comforts. Defeated for Congress in 1892 in a smear campaign in which the opposition charged him with betraying the southern tradition of "breeding, courage, and piety," he did not return to Washington until he was elected Senator from Georgia in 1921.

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[49] Quoted in Cash, p. 248.

[50] *Congressional Record*, 68th Cong., 1st sess., Vol. 65, pt. 11, p. 11136 (June 7, 1924).

[51] *Ibid.*, 74th Cong., 1st sess., Vol. 79, pt. 9, pp. 10, 229 (June 26, 1935).

[52] *New York Times*, July 24, 1945, p. 15.

[53] *Congressional Record*, 67th Cong., 3rd sess., Vol. 63, pt. 1, p. 3 (Nov. 20, 1922).

Long after Populism had receded in the rest of the country, Tom Watson kept it alive in Georgia politics. When he died in 1922, one of his colleagues could say that "for thirty years he held the balance of power in the political affairs of his state; made and unmade governors, elected and defeated Senators and Congressmen."[54] Vice-presidential candidate in 1896 when Bryan captured the Populist forces for the Democratic Party, presidential candidate of the People's Party in 1904 and again in 1908, he championed the cause of the white farmers down to the days of the Talmadges. The Talmadges, on the other hand, have been carefully calculating in their bids for the rural vote of Georgia, but the stinginess of their public budgets bespeaks little of that real solicitude for the welfare of the common people that was implicit in the Populism of Tom Watson.

Gerald Johnson, editorial writer for the Baltimore *Sun*, wrote of Huey Long: "He has the distinction of having injected more realism into southern politics than any other man of his generation."[55] Long's antics in the United States Senate amused and disgusted the national audience, but many people in Louisiana still idolize him for what he gave them. He brought roads to the backwood parishes, built up the public schools and the state university, improved the public health service and established a great hospital, and shifted some of the tax burden from the small landowners to the corporations. Such southern demagoguery has been expensive. In *All the Kings Men*, Robert Penn Warren indicates the price that must be paid for social improvements when men like Willie Starke appeal to the hearts of the people. But the fact remains that no successful southern politico can deny his responsibility for the "poor white trash" in the region.

It is a favorite academic exercise of political scientists to classify the politicos as "liberals" and "conservatives." What are the criteria? Vardaman of Mississippi, who well deserved the opprobrium of the nation for his disgraceful attacks on the Negroes, voted for regulation of child labor under the commerce power, believing in its "large beneficent humanitarian returns."[56] Rankin of Mississippi, highly criticized for his narrow-minded view of Un-American activities, will also be remembered for sponsoring rural electrification and for fathering the TVA. On the Fair Labor Standards Act, Reynolds of North Carolina, notorious for his isolationist attitude in foreign affairs, and "That Man" Bilbo, whose remarks on the Negroes are unspeakable outside of the *Congressional Record*, went down the line with the Roosevelt administration in support of the working people.[57] Indeed, an examination of congressional roll calls reveals that these southern demagogues, who have rightly gained such bad names for themselves because of their racism, have frequently shown genuine concern for the general welfare in the social and economic sphere.

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[54] *Ibid.*, 67th Cong., 4th sess., Vol. 64, pt. 4, p. 3453 (Feb. 11, 1923).

[55] "Live Demagogues or Dead Gentlemen?" *Virginia Quarterly Review*, Vol. 12, p. 9 (1936).

[56] *Congressional Record*, 64th Cong., 1st sess., Vol. 53, pt. 12, pp. 12, 223 (Aug. 7, 1916).

[57] *Ibid.*, 75th Cong., 1st sess., Vol. 81, pt. 7, p. 7957 (July 31, 1937).

VI. THE "SOUTHERN BLOC"

In every Democratic administration the South has furnished more than its share of national leadership. The combination of one-party politics and the rule of seniority in congressional committee chairmanships furnishes the explanation. In the Wilson administration, Underwood from Alabama, Glass and Swanson from Virginia, Josephus Daniels and Walter Hines Page from North Carolina were statesmen of stature. In the Roosevelt-Truman administrations, Hill and Black of Alabama, Pepper of Florida, Hays and Fulbright of Arkansas, Kefauver, Priest, Hull and Gore of Tennessee, Barkley of Kentucky, and Ramspeck of Georgia have furnished the country with an enlightened leadership in Congress through the difficult depression and postwar years.

The record of southern congressmen on specific issues has been by no means consistent throughout the period nor, for that matter, in any single session of Congress. The "Southern Bloc" is more or less a convenient fiction of journalism.

On the tariff, the traditional policy of the South has been to favor the Democratic bills that tend to lower the rates and to oppose the Republican bills with high rates. As an agricultural region, relying principally on a worldwide market for its main cash crops, cotton and tobacco, in the past the South has understandably been opposed to barriers in international trade. As Pat Harrison argued in favor of the Reciprocal Trade Agreements in 1934, "We cannot shut out imports without at the same time shutting in potential exports."[58]

Oscar Underwood, who led the Democratic majority in the Senate on the tariff bill of 1913, gave a classic statement of southern policy in the 1922 debate: "I never have contended that the Democratic Party is a free trade party for it believes in a revenue tariff and believes in collecting some revenue at the custom houses; but it believes in levying the tax so that the government will derive the benefit of the revenue and not the special interests such as is the case when the Republican Party build their tariff wall so high as to prevent importation."[59] A tariff for revenue only, with no more money collected than necessary for the wants of the government and all duties low enough to yield large returns, is the old-line policy of the southern congressmen who have fought against protective tariffs. Senator Williams from Mississippi added to the southern argument: "There is only one excuse ever given that has justified a protective tariff upon any article and that was the excuse given by John C. Calhoun. The things absolutely necessary for self-defense in war ought to be protected to the extent of giving an opportunity to produce them so that the country should not be defenseless in war."[60]

When, however, their theories have been confounded with facts, southern congressmen have acted to protect the special interests of their constituents.

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[58] *Ibid.*, 73rd Cong., 2nd sess., Vol. 78, pt. 8, p. 8994 (May 17, 1934).

[59] *Ibid.*, 67th Cong., 2nd sess., Vol. 62, pt. 7, p. 7036 (May 16, 1922).

[60] *Ibid.*, p. 7043.

In the Old South, Louisiana, South Carolina, and Georgia were among the leading export states in the country. In the 1830's nearly fifty per cent of all our exports was in the single commodity, cotton; but it has been a long time since cotton was king, even in the South. In 1922, Ransdell from Louisiana could argue for the protective tariff on the grounds that practically every important dutiable article in the proposed tariff was produced in one or more southern states.[61] In 1928, the Director of the United States Bureau of Foreign and Domestic Commerce could point to the enormous industrial expansion in the South. Only in Mississippi and Arkansas did the value of agricultural products still exceed that of mining and manufactured products in the southern states.[62]

When the lowering of tariff barriers adversely affects southern production, southern representatives are quick to protest. Senator Byrnes of South Carolina, in appraising the New Deal, placed in the first ranks of accomplishment the Reciprocal Tariff Act which another Southerner, Cordell Hull of Tennessee, had been able to promote as Secretary of State.[63] But no less a New Dealer and internationalist than Claude Pepper in 1937 was fighting to get that Reciprocal Trade Agreement amended so that the tariff on any imported commodity should equalize costs of production at home and abroad. He was also opposed to fixing the limits of production at home for any product not overproduced in this country for American consumption.[64] Specifically, he was fighting for the right of his constituents in Florida to produce sugar without limitations and under a protective tariff. Huey Long, who called himself a "Tariff Democrat," explained how he was "broadminded": "I voted for a tariff on the other man's products in order that we might have one on ours."[65] Most Southern senators were not so "broadminded" when it came to voting for tariffs on the other man's products, but they were strongminded when it came to protecting southern textiles, southern chemicals, and southern machinery.

On the flexible tariff, southern Congressmen have had embarrassing reversals in principles. In 1934, Senator George of Georgia ably presented the constitutional argument for the Reciprocal Trade Agreements. He pointed out that the two-thirds rule in treaty-making is intended to limit the power of the President, not to constrain the Congress. Tariff-making is a legislative power, but Congress need not prescribe every detail and every rate in the tariff schedule. There is no improper delegation of legislative powers he argued, in the Reciprocal Trade Agreements. The standard is fixed by Congress; the executive has authority to engage in reciprocal bargaining within the limits of fifty per cent upwards or downwards on the basic tariff. Furthermore, the Supreme Court in the *Hampton Case* has given its sanction to such a flexible tariff.[66] But a

[61] *Ibid.*, 71st Cong., 1st sess., Vol. 71, pt. 5, p. 5062 (Nov. 1, 1929).

[62] *Ibid.*, 70th Cong., 1st sess., Vol. 69, pt. 2, p. 1840 (Jan. 23, 1928).

[63] *Ibid.*, 73rd Cong., 2nd sess., Vol. 78, pt. 11, p. 11, 836 (June 15, 1934).

[64] *Ibid.*, 75th Cong., 1st sess., Vol. 81, pt. 8, p. 8769 (Aug. 12, 1937).

[65] *Ibid.*, 75th Cong., 1st sess., Vol. 78, pt. 8, p. 9012 (May 17, 1934).

[66] *Ibid.*, 73rd Cong., 2nd sess., Vol. 78, pt. 9, 10,072 (May 31, 1934).

few years earlier, Senator George had just as eloquently opposed the flexible tariff on the grounds of unconstitutionality! His name, along with Simmons of North Carolina, Harrison of Mississippi, Barkley of Kentucky, Thomas of Oklahoma, and Connally of Texas, had been joined in signature on a Senate document declaring the unconstitutionality of flexible tariff provisions.[67] The reason for the reversal?—a change in party fortunes. In a Republican administration the flexible tariff might be expected to move upwards; in a Democratic administration the tariff barriers would be lowered.

Traditionally the South, standing for states' rights, has resisted national control of the economy. But in the early days of World War I, when the cotton market collapsed, the southern governors, at a meeting in Washington, declared unanimously that the southern states could not meet the crisis without help. They urgently needed federal aid in the form of government loans for the cotton farmers, they said, with cotton stored in the warehouses to stand as security. Senator Smith from Georgia presented a fantastic plan, calling for the federal government to issue $250,000,000 in four per cent bonds of small denomination in exchange for cotton in the southern states.[68] Some indignant northern and western senators charged the South with socialism!

Again in the depression of the 1930's, while opinion in the South was generally averse to most of the New Deal program, southern congressmen persistently demanded national controls and federal aid for cotton. Bankhead from Alabama argued that it was impossible for cotton farmers with different climatic, soil, and social conditions to get together on a voluntary basis.[69] Restricted production with government-pegged prices was one proposed southern solution.

Even on cotton controls, essentially a southern problem, there has been no unanimity. Bailey and Reynolds of North Carolina were extremely dubious of the economy of scarcity applied to cotton at a time when Egypt and Brazil were increasing their cotton production for the world market.[70] Rankin of Mississippi had his different ideas: "The way to help the farmers is to expand the currency and put more money back into circulation";[71] while Representative Terrell of Texas was firm in his convictions: "I shall never give my consent to any measure that permits the government to go into the states and say, you cannot produce cotton, or you have got to pay a prohibitive tax if you produce more than a certain number of bales of cotton."[72] At the same time his esteemed colleague in the Senate, Tom Connally, was fighting to put beef and cattle also under the AAA. The cattle industry of Texas at first had been opposed to the AAA; but when prices of basic commodities under the AAA rose while cattle prices remained low, the leaders of the cattle industry had a change of mind and its congressional representative a reversal in political thinking.[73]

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[67] *Ibid.*, pt. 5, p. 5231 (March 23, 1934).

[68] *Ibid.*, 63rd Cong., 2nd sess., Vol. 51, pt. 16, p. 16,594 (Oct. 14, 1914).

[69] *Ibid.*, 73rd Cong., 2nd sess., Vol. 78, pt. 5, p. 4635 (March 15, 1934).

[70] *Ibid.*, 74th Cong., 1st sess., Vol. 79, pt. 5, p. 5005 (April 4, 1935).

[71] *Ibid.*, 73rd Cong., 2nd sess., Vol. 78, pt. 5, p. 4642 (March 15, 1934).

[72] *Ibid.*, p. 4644 (March 15, 1934).

[73] *Ibid.*, pt. 4, p. 3815 (March 6, 1934).

On labor issues, the South has been more consistently solid. With labor organizations still relatively weak in the region, congressmen have felt that popular support and financial contributions from the farmers and manufacturers respectively are far more important than those of the industrial workers. When the Child Labor Laws and subsequently the Child Labor Amendment were up for debate, the opposition both in the House and Senate was mainly from south of the Mason-Dixon line. Typically the arguments ran: "I am opposed to child labor but I favor state regulation"—"Government officials have been the principal agitators for this amendment; this government is turning into a bureaucracy"—"I favor just and humane state laws; my own state has a child labor law."[74]

Hugo Black, Senator from Alabama, spearheaded the New Deal offensive for the rights of labor. Introducing his plan for the five-day week, he declared, "The people are not going to be put back to work by balancing the budget."[75] He affirmed his faith in states' rights but pointed out that "today's business knows no state lines." He met his toughest opposition from southern colleagues, from George of Georgia, Connally of Texas, and Bailey of North Carolina. Black held that there was "no question as to the Supreme Court sustaining the constitutionality of the bill"; his colleagues argued otherwise.

It was on the Fair Labor Standards Act in 1937, however, that southern congressmen made their concerted stand. Though the measure was sponsored by the Senator from Alabama and had behind it the full support of the Democratic administration, the southern Senators, who were also the party leaders, voted against the bill.[76] Senator George was almost hysterical in his opposition: "This thing is bureaucracy run mad. . . . This is the wildest dream that was ever presented to the American Congress. . . . Wages in every section, by and large, in the long run, are fixed by economic, natural conditions that we cannot change."[77] One after another, Southerners shouted that, if the bill should pass, southern industry would be irreparably ruined and the whole business structure of the country impaired.

While decrying government intervention on behalf of labor, Southerners were demanding federal aid in other fields. Thus they were patiently persistent during the Republican administrations of the 1920's in their fight for Muscle Shoals. Southern farmers needed cheap fertilizer, and their congressmen were committed to fight the "fertilizer trust" and the "foreign nitrate monopoly." Rankin of Mississippi joined with Norris of Nebraska to promote the TVA. Paradoxically, Rankin, who was soon to investigate un-American activities with vindictive wrath, was himself accused of "socialism" because of his opposition to the public utilities. Rankin maintained that the federal government ought to control all hydroelectric power from the navigable streams as a natural resource of the nation. According to him, such control "is the very antithesis of socialism. It is taking to the individual home the resources of America, building up the individual, growing up a generation of responsible individuals. . . . We are saving the resources of America for the American people, for the common people, the masses and not for certain utilities that are now trying to control every phase of American life."[78] Coincidentally the first TVA contract for sale of the public power to private industry went to Tupelo, Mississippi, John Rankin's home town. Rankin, however, was interested in the development of public power for the country as a whole. He joined with Norris in the fight to give the Federal Power Commission the right to publish power rates over the entire country;[79] and he fought for the Bonneville Dam on the Columbia River with the same enthusiasm that he injected into his efforts for the TVA.[80]

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[74] *Ibid.*, 68th Cong., 1st sess., Vol. 65, pt. 10, p. 10,142 (June 2, 1924).

[75] *Ibid.*, 72nd Cong., 2nd sess., Vol. 76, pt. 4, pp. 4310, 4312 (Feb. 17, 1933).

[76] The Southerners who voted for the bill included such strange companions as Bilbo, Black, Overton, Pepper, and Reynolds.

[77] *Congressional Record*, 75th Cong., 1st sess., Vol. 81, pt. 7, pp. 7788–89 (July 29, 1937).

It would be erroneous to claim that the Southern Bloc supported government ownership of the public utilities. In the early battles over Muscle Shoals, many were convinced that the best outcome for southern farmers would be to turn the whole project over to an "American Owner." McKellar of Tennessee and Heflin of Alabama insisted that the southern farmers were "for the Underwood Bill which carried the Ford offer."[81] Later, when the TVA was up for consideration, May of Kentucky (with loud applause from the Republican side of the House) charged that "a lot of Communists and wild sons of wild jackasses, if you please, [are] capturing the Democratic Party."[82]

Southern congressmen have been quick to call "socialism" on the New Deal and the Fair Deal provisions, but not when the government aid was directed specifically toward the rural folks. Thus Sam Rayburn of Texas, generally conservative on social and economic issues, objected to the charges that the Rural Electrification Administration was "socialistic." It wasn't socialism, he said, when the Reconstruction Finance Corporation loaned money to the big corporations; it isn't socialism to bring electrification to people who can't get it from private industry.[83]

On economic issues, southern congressmen have similarly divided among themselves on the policy of *laissez-faire* and have reacted largely in terms of the direct and immediate needs of their constituents. In the area of civil liberties, which involves racism, however, the Southern Bloc has been consistently united. Resistance stiffens automatically against any proposal which would alter the position of the Negro. On anti-lynching bills, on poll tax proposals, on federal aid to education, on FEPC, reaction is nearly unanimous. Thus the arguments on the Dyer Bill in 1921 have been heard in every filibuster on subsequent anti-lynching laws. It is not that southern congressmen approve or condone lynching, but they agree with Byrnes of South Carolina that "you can't cure lawlessness by indulging in it yourselves."[84] They stand fast on the constitutional argument that the anti-lynching bills are deliberate assaults on the citadel of states' rights.

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[78] *Ibid.*, p. 7547 (July 23, 1937).

[79] *Ibid.*, 73rd Cong., 2nd sess., Vol. 78, pt. 6, p. 5927 (April 3, 1934).

[80] *Ibid.*, 75th Cong., 1st sess., Vol. 81, pt. 7, p. 7517 (July 23, 1937).

[81] *Ibid.*, 68th Cong., 2nd sess., Vol. 66, pt. 2, p. 1672 (Jan. 12, 1925).

[82] *Ibid.*, 74th Cong., 1st sess., Vol. 79, pt. 10, p. 10,784 (July 8, 1935).

[83] *Ibid.*, 74th Cong., 2nd sess., Vol. 80, pt. 5, p. 5281 (April 9, 1936).

The recent debates on federal aid for public education reverberate the arguments which southern congressmen made when the issue of government appropriations for agricultural extension was presented in 1914. As Martin of Virginia put it on the eve of World War I, "Let the Southern people, who have the Negroes with them and have to solve the Negro problem, attend to this matter."[85] It is not that Southerners object to improving the status of the Negroes, but that they intend to do it in their own way and without direction and control from outside. On the matter of segregation in the public schools, some southern political leaders make dire predictions. Governor Talmadge of Georgia has declared that if the courts upset the seventy-five-year-old segregation doctrine, "there are not enough police or troops in the United States to enforce such an order."[86]

The Negro problem was injected in the discussions of suffrage for women. Senator Vardaman from Mississippi saw in the Nineteenth Amendment another Yankee device to increase the number of Negro voters. He preferred to see the suffrage of Mississippi reduced rather than to allow Negro women to vote.[87] Smith of South Carolina held that the Nineteenth Amendment was the female counterpart of the fifteenth.[88] It was also alleged that Negro women are naturally more fanatical than the men. At the same time, some felt that decent white women, being wed to their homelife, would not want the ballot. Representative Clark from Florida feared that woman suffrage would "unquestionably" contribute to "the upbuilding of feminism and Bolshevism in America."[89] The chief opposition to the Nineteenth Amendment was based on other grounds, it is true. In any event, however, the entire bloc in House and Senate, with only a few exceptions, voted against the amendment.

In Key's analysis of congressional roll calls (1933–45), he finds that the common element in southern bloc voting has been concerted opposition to federal intervention in matters of race relations. "The prevailing attitude toward the Negro . . . is clearly the bedrock of southern unity."[90] This conclusion is dramatically supported by the recorded voting of the southern Congressmen on FEPC. Senator Russell from Georgia led the first fight in 1945 to eliminate FEPC from the Appropriation Act, charging that it was "unconstitutional" and "communistic." Barkley of Kentucky and Pepper of Florida were the only southern senators who did not vote for the Russell amendment. In 1946, following a southern filibuster on "This damnable legislative monstrosity called FEPC,"[91] the Congress passed a second appropriation for FEPC, but only to provide a sum for its liquidation.

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[84] *Ibid.*, 67th Cong., 2nd sess., Vol. 62, pt. 1, p. 543 (Dec. 19, 1921).

[85] *Ibid.*, 63rd Cong., 2nd sess., Vol. 51, pt. 3, p. 2940 (Feb. 5, 1914).

[86] *Florida Times-Union*, October 24, 1950, p. 9, col. 2.

[87] *Congressional Record*, 63rd Cong., 2nd sess., Vol. 51, pt. 5, p. 4338 (March 5, 1914).

[88] *Ibid.*, 66th Cong., 1st sess., Vol. 58, pt. 1, p. 618 (June 4, 1919).

[89] *Ibid.*, p. 91 (May 21, 1919). [90] *Op. cit.*, p. 352.

[91] *Congressional Record*, 79th Cong., 1st sess., Vol. 91, pt. 5, p. 6803 (June 27, 1945).

The hearings in 1949 on FEPC show that the southern position is unchanging. The contention, apparently widely accepted by the voters, is that "FEPC is nothing but a major objective of the Communist Party."[92] This linking of the communist phobia with the Negro phobia was largely responsible for the defeat of Senator Pepper. Pepper had voted for FEPC only once, as a wartime item in the 1945 appropriation act, but a widely distributed news photo of "Red" Pepper in smiling company with Paul Robeson and Henry Wallace was most effectively used by the opposition to prove that Pepper had advocated FEPC!

As a matter of sustained political conviction, the southern Democrats uphold the doctrine of "states' rights." But there have been times when they have wavered from their constitutional arguments. The Eighteenth Amendment provides an illustration. Senator Sheppard of Texas proposed nationwide prohibition on the day that Congress declared war on Germany in 1917. A number of his southern colleagues took indignant exception to this proposal. Underwood from Alabama protested that national regulation would lodge the police power in the federal government, taking away from the states their control over local affairs.[93] Small of North Carolina was opposed because "it proposes to incorporate into our organic law a proposition which is distinctly legislative." Representative Huddleston of Alabama insisted that "I am a prohibitionist but I am also a Democrat. I hold that the right of self government is more important than prohibition."[94] However, the majority of the Southern Bloc voted for the amendment, yielding in wartime to the higher claims of patriotism and to the arguments based on moral grounds.

Paradoxically the Southern Bloc, standing for "states' rights" in domestic issues, on the whole has been more internationalistic than the representatives of any other section in matters of foreign policy. It supported Woodrow Wilson's League of Nations in 1919 and took the lead in sponsoring international organization after World War II. Lister Hill of Alabama, Tom Connally of Texas, James Fulbright of Arkansas, and Claude Pepper of Florida stand out as early champions of the United Nations in the postwar period. More recently the Southern Bloc has strongly supported the Truman Doctrine and the Marshall Plan as devices both for opposing communism and for improving the markets of western Europe, in which the South has a deep concern.

The South has always been inclined to be pro-British. There is a sentimental attachment engendered by British sympathy in the War between the States. There is also a strong feeling of cultural kinship, for the homogeneous white population of the South is largely of English, Scotch, Irish, and Welsh descent. Most important have been the commercial connections, since Great Britain has long been the South's best customer for cotton and tobacco. The Southern Bloc, therefore, strongly supported Wilson's policy of "armed neutrality" on behalf of Britain during World War I and with few exceptions voted for the declaration of war against Germany.

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[92] S. C. Bryson, *Hearings Before a Special Sub-Committee of the Committee on Education and Labor, House of Rep.*, on H.R. 4453, 81st Cong., 1st sess., p. 55 (May 11, 1949).

[93] *Congressional Record,* 65th Cong., 1st sess., Vol. 55, pt. 6, p. 5555 (July 30, 1917).

[94] *Ibid.*, 65th Cong., 2nd sess., Vol. 56, pt. 1, p. 461 (Dec. 17, 1917).

Senator Vardaman of Mississippi was one of the "wilful few" who opposed the armed neutrality bill and voted against the declaration of war. In the House, the chairman of the Committee on Ways and Means, Claude Kitchen of North Carolina, approved of armed neutrality but refused to vote for the declaration of war, holding that no invasion was threatened, that none of our territory was coveted, and that our national policy was not opposed.[95] On the eve of World War II, the Southerners took the lead in pushing the congressional version of "Bundles to Britain." The only southern senator to vote against lend-lease was Reynolds of North Carolina, and the only southern congressman was Peterson of Georgia. Likewise, on defense appropriations, on conscription and selective service, the "fighting South" at an early date was more openly belligerent against the Axis than other sections of the country.[96]

The postwar period marks a retrogression from internationalism throughout the country, and in this respect Southerners follow the changing winds of prevailing opinion. Of the southern senators, only Claude Pepper fought to place European rehabilitation under the United Nations. Today the South, as the bastion of political individualism and *laissez faire* economics, provides strong support for the "cold war" against Soviet communism.

VII. THE SOUTH TOMORROW

If there is any one group which may represent the South tomorrow, it is more likely to be the journalists than the businessmen and politicos. At a time when the schools and the churches and the state governments have seemed content to rest on the common denominator of popular intelligence, the "fighting editors" of the South have undertaken the task of regaining for the region its heritage of liberalism. Of this group Hodding Carter, who won the Pulitzer prize in 1945 for distinguished editorial writing, is an outstanding example. Anti-Bilbo in the days when Bilboism was political orthodoxy in Mississippi, this editor of the Greenville, Mississippi, *Delta Daily Times* has been a constant champion of civil rights for both races in the South. Ralph McGill of the Atlanta *Constitution*, Virginius Dabney of the Richmond *Times-Dispatch*, Herbert Agar and Mark Ethridge of the Louisville *Courier-Journal*, John Temple Graves, Jr., of the Birmingham *Post*, and Jonathan Daniels of the Raleigh *News-Observer* are others whose editorial columns are educating the South to new, but varying, viewpoints in politics.

In conclusion, it has been our contention that there is no Solid South and no typical Southerner. There are widely divergent economic, social, and political interests in the South. Each Southerner usually defends his own interest and represents his own class. All are Southerners but, among themselves, they think quite differently. In consequence, future political thought in the South will probably remain within the regional frame of reference and be as pluralistic and particularistic as it has been in the past.

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[95] *Ibid.*, 65th Cong., Spec. S., Vol. 55, pt. 1, p. 333 (April 15, 1917).

[96] Cf. Marian D. Irish, "Foreign Policy and the South," *Journal of Politics*, Vol. 10, pp. 306–326 (May, 1948).

THE COLOMBIAN-PERUVIAN ASYLUM CASE: THE PRACTICE OF DIPLOMATIC ASYLUM*

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By a turn of legal fate, the first case between two American states to be decided by either the International Court of Justice or its predecessor, the Permanent Court of International Justice,[1] is one which involves the controversial practice of diplomatic asylum. One can choose to regard diplomatic asylum as a principle of American international law[2] or as a "permissive local custom," though in no sense a principle of international law,[3] or one can agree that "the fact that asylum is not exercised in the territory of the leading states, and is mainly resorted to in the 'backward' countries of the Near and Far East and of Latin America, suggests that it is a practice followed only in relation to states who are not fully civilized in the Western sense of the term, and that as such it is a temporary exception to the system of international law which obtains in the community of civilized nations."[4] Whatever the viewpoint, the fact remains that the practice has been indulged in for a long time, with and without formal legal sanction, and in more places than Latin America. The Colombian-Peruvian Asylum Case brings to attention the issues of the validity in international law of diplomatic asylum and of its desirability in international relations. A short sketch of the origin and development of diplomatic asylum will indicate something of its nature.

I. DIPLOMATIC ASYLUM IN INTERNATIONAL PRACTICE

Asylum, boasting a long if not always reputable history, seems to have first taken the forms of religious asylum, whereby a fugitive could seek refuge in a sacred place, a temple, or a "city of refuge," and of territorial asylum, whereby a fugitive could take refuge in a foreign country.[5] Both of these early forms of asylum provided a resort for persons accused, justly or unjustly, of common crimes.

With the development of the modern state system and the concurrent development of the permanent diplomatic mission, a new type of asylum also appeared. A fugitive might seek protection within an embassy, under the embassy's *franchise de l'hôtel*, or he might take refuge within the section of the city in which the embassy was located, under the old concept of the embassy's *franchise des quartiers*. As the exemption from local jurisdiction of ambassador and embassy had come to be accepted as a principle of international law at a relatively early date, it was not difficult to reason that this same exemption could be extended to all persons who might be within the embassy, even though they were not members of the diplomatic mission. The principle of the inviolability of ambassador and embassy, however, was designed to enable the chief of mission to carry out his official duties with the greatest despatch and the least interference on the part of the territorial state to which he was accredited. To use this immunity as a shelter for fugitives from local justice was to abuse seriously a legitimate principle of international law; such action could be interpreted as foreign intervention in the affairs of the territorial state—and indeed, asylum often was just this. If a territorial state so abused were to take matters into its own hands and violate the sanctity of an embassy in order to seize a refugee, there could develop a situation not compatible with the universal duty of states to foster law and order.[6] Recognition of this legal vicious circle inspired much criticism of diplomatic asylum (as well as criticism of asylum in consulates and foreign warships) from the time of Grotius to the present.

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[1] No cases between American states came before the Permanent Court of International Justice, although the Court was granted jurisdiction in the Chaco dispute between Bolivia and Paraguay and in the Leticia dispute between Colombia and Peru. See Manley O. Hudson, *International Tribunals, Past and Future* (Washington, 1944), p. 141.

[2] *I.C.J., General List, 1949,* No. 7, p. 9.

[3] Green H. Hackworth, *Digest of International Law* (8 vols., Washington, 1940–44), Vol. 2, p. 623.

[4] Felice Morgenstern, " 'Extra-territorial' Asylum," *British Year Book of International Law*, Vol. 25, p. 242 (1948).

[5] For a concise history of asylum and a general discussion of problems involved in the practice, see Egidio Reale, "Le Droit d'Asile," *Recueil des Cours de l'Académie de Droit International*, Vol. 63, pp. 469–601 (1938).

The attack on asylum was particularly well founded when it was directed to the use of diplomatic immunity as a shield for common criminals. But the problem was made more complex by the fact that, until about the beginning of the nineteenth century, the term "common criminal" also referred to the political agitator—a person who worked for the independence of subjugated nations or for the overthrow of tyrannical governments and who, failing in his enterprise, had to seek refuge from the wrath of the injured suzerain or tyrant. It was for the doubtful benefit of the political fugitive that extradition was devised; since such a fugitive was, in the last analysis, a greater menace to law and order than even a common criminal, he was an appropriate object for extradition proceedings. But with the increasing interest in the theory and practice of nationalism which developed in the last century, the former condemnation of the political agitator moderated; the unsuccessful political agitator came to be recognized, at least in the state which granted him asylum, as a patriot, deserving of protection.[7] By way of egalitarianism, a refugee ex-tyrant or ex-suzerain could enjoy similar protection in a foreign state which so willed. The old concept of territorial asylum, restricted now to political refugees, gained wide acceptance, as may be seen both in provisions of extradition treaties and in decisions of national courts.[8] Diplomatic asylum, as the corollary of political territorial asylum, also came to be restricted to the political fugitive, whether unsuccessful revolutionary or displaced ruler, seeking protection from the government of his own state by fleeing to an embassy or legation accredited to that state.

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[6] *Ibid.*, pp. 513–518, 522–25.

[7] Harvard Law School, Research in International Law, "Draft Convention on Extradition," *American Journal of International Law*, Vol. 29, supp., pp. 108–9 (1935).

[8] For example, Article 6 of the 1924 Treaty between Great Britain and Finland and Article 4 of the 1922 Treaty between Germany and Czechoslovakia, *ibid.*, pp. 109, 241, 320. A "classic" case on the subject is *Re Castioni* [1891]; 1 Q.B. 149.

In spite of the number of times that states have acquiesced in the grant of diplomatic asylum to political refugees—and numerous examples may be cited from China, Persia, Turkey, Greece, Russia, Spain, and various Latin-American republics[9]—the general trend of opinion in Europe and the United States has been decidedly unfavorable to this practice. Great Britain, for example, has taken the view that diplomatic asylum has no legal basis, and that the practice, "justified by local usage only," is one to be exercised "within limits dictated by the urgent requirements of humanity."[10] During the Spanish Civil War, in which there were wholesale grants of asylum to Spanish refugees by both European and Latin-American embassies and legations, the Spanish government was reluctant to recognize any right of asylum; but it finally acquiesced in the practice.[11] For the United States, diplomatic asylum is not a principle of international law; at the most, it is regarded only as a "permissive local custom" which may be conceded as a temporary measure dictated by humanitarian considerations and exercised "at the tolerance of the local state."[12] But although the United States has condemned the practice as much for the political fugitive as for the common criminal, it has granted diplomatic asylum upon occasion in American embassies and legations: to deposed presidents in Peru in 1870, the Dominican Republic in 1906, Haiti in 1911, and Chile in 1924, and alternately, to members of rival political factions in Chile in 1891.[13] Such concessions to the practice have been made reluctantly. The United States still subscribes firmly to the view that diplomatic asylum is essentially a form of foreign intervention in the internal affairs of a territorial state which invariably puts the foreign diplomatic mission in an awkward position *vis à vis* the territorial state.[14]

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[9] John Bassett Moore, *A Digest of International Law* (8 vols., Washington, 1906), Vol. 2, pp. 767–70; Reale, p. 528; U. S. Department of State, *Papers Relating to the Foreign Relations of the United States* (Washington, 1870—), *1909*, p. 495; *Foreign Relations, 1918, Russia,* Vol. 1, p. 667; Norman J. Padelford, *International Law and Diplomacy in the Spanish Civil Strife* (New York, 1939), pp. 157–66.

[10] Morgenstern, pp. 242, 249.

[11] Padelford, pp. 157–59.

[12] Hackworth, Vol. 2, pp. 622, 623.

[13] *Foreign Relations, 1870,* pp. 506–07; *Foreign Relations, 1906,* Pt. 1, p. 544; *Foreign Relations, 1911,* p. 285; *Foreign Relations, 1924,* Vol. 1, p. 357; *Foreign Relations, 1891,* pp. 153–56.

[14] The trend of opinion has also been unfavorable to the practice of political territorial asylum. In 1856, Belgium excluded from the status of political refugee any person who was responsible for an attempt on the life of the head of a foreign state and made such a person liable to extradition as a common criminal. See Charles G. Fenwick, *International Law* (3rd ed., rev., New York, 1948), p. 336. More recent evidence of this view is found in the League of Nations' Conventions on Terrorism and the International Criminal Court, which followed on the reaction to the assassinations of King Alexander of Yugoslavia and French Foreign Minister Barthou in Marseilles in 1934 and to the subsequent protection of the assassins as political offenders (League of Nations Document, C.94, M.47, 1938, V.3.)

In Latin America, both governments and publicists have been inclined to accept diplomatic asylum for one reason or another. It has been described as a "juridical norm" and as a principle of "American international law,"[15] but more often, the practice has simply been endorsed on humanitarian grounds in a realistic appraisal of political conditions.[16] This does not mean that the possible abuses inherent in a practice which makes a foreign embassy a state within a state have been overlooked; upon occasion diplomatic asylum has been formally renounced by governments which have found it a political embarrassment.[17]

Having accepted diplomatic asylum for legal or humanitarian reasons, the Latin-American states have been active in trying to define and regularize the practice through conventional international law. The Congress on Private International Law, meeting in Montevideo in 1889, concluded a treaty on international penal law which contained a section dealing with asylum.[18] An extradition treaty drawn up at the 1911 Bolivarian Congress at Caracas contained an article in which the parties agreed to "recognize the institution of asylum in conformity with the principles of International Law."[19] The Convention on the Right of Asylum, signed at the Sixth Pan-American Conference at Havana in 1928, went a long way toward formalizing the practice: limiting asylum within the territorial state to legations, warships, military camps, or military aircraft; permitting it to be granted only to political offenders and not to common criminals or to deserters from the armed forces of the country; requiring that it be granted only as an emergency measure.[20] In 1933 this convention was revised, but little improved, at the Seventh Pan-American Conference at Montevideo.[21]

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[15] J. S. da Fonseca Hermes, "Asilo Diplomático," *Boletim da Sociedade Brasileira de Direito Internacional*, Vol. 4, p. 43 (Jan.–June, 1948); Francisco Parra, *El Derecho de Asilo* (Lima, 1936), p. 6.

[16] For example, Daniel Antokoletz, *Tratado de Derecho Internacional Público* (4th ed., Buenos Aires, 1944), Vol. 2, p. 299; Alejandro Deustua A., "Derecho de Asilo," *Revista Peruana de Derecho Internacional*, Vol. 7, p. 184 (July–Dec., 1947); Francisco A. Ursúa, *Derecho Internacional Público* (México, D.F., 1938), pp. 285–86. In spite of widespread approval of the practice in Latin American states, it is not often described in such terms as "una floración de la piedad, el más exquisito de los sentimientos humanos, pero vestido siempre con la túnica severa del derecho" (Armando Fernández Franco, "El Asilo Diplomático," *Revista de Derecho Internacional*, Vol. 46, p. 216 [1946]).

[17] U. S. Department of State, *Diplomatic Correspondence, 1867*, Pt. 2, p. 759; *Foreign Relations, 1908*, pp. 437–38. For the *dénouement*, see *Foreign Relations, 1870*, pp. 506–07; *Foreign Relations, 1911*, p. 285.

[18] Morgenstern, p. 240.

[19] Colombia, *Leyes Expedidas por el Congreso Nacional*, 1913, p. 160. The Central American Treaty of Peace and Amity of 1907 provided that asylum in merchant ships should be respected. *Foreign Relations, 1907*, Pt. 2, p. 694.

[20] This Convention has been ratified by fifteen states: Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay, Honduras. *Status of the Pan American Treaties and Conventions* (rev. to March 1, 1951, by the Pan-American Union, Washington, 1951), p. 7. The United States signed the Convention with "an explicit reservation . . . that the United States does not recognise or subscribe to as part of international law, the so-called doctrine of Asylum" (*League of Nations Treaty Series*, Vol. 132, p. 323).

A number of Latin-American states admitted refugees to their embassies or legations at Madrid during the Spanish Civil War; Chile, for one, is said to have protected more than two thousand refugees in its embassy and in special rented quarters. This large-scale practice of diplomatic asylum aroused considerable discussion of its legal validity and of methods for its control.[22] In 1937 the Minister of Foreign Relations of Argentina, Carlos Saavedra Lamas, presented a draft of a new convention on asylum in a circular note to the diplomatic missions at Buenos Aires. Reflecting the then-current efforts of the League of Nations to outlaw "terrorism" through conventional international law, this draft required that an embassy or legation closely scrutinize the motives of a self-styled political fugitive, paying particular attention to the factor of terrorism which "as is well known, does not imply a political ideology, but rather a method of action, by means of assassination, kidnapping, incendiarism, bombthrowing, *etc.*" and which would not be admissible as a qualification for the grant of territorial asylum or diplomatic asylum.[23] Nothing came of the Saavedra Lamas draft at the time; but its provisions were reflected in the Treaty on Asylum and Political Refugees which was concluded at the Second American Congress on Private International Law, held at Montevideo in 1939.[24] Among the more recent references to asylum may be mentioned a resolution of February 14, 1951, adopted by the Council of the Organization of American States. It recognizes the right of asylum as a "juridical principle of the Americas" and requests that a study of the subject be given "preferential attention" by the Inter-American Juridical Committee.[25]

These several international agreements provide the bulk of the conventional international law dealing with diplomatic asylum, and of them, only the Havana Convention of 1928 is in general effect among the American states. Such a convention as that of Montevideo of 1933 has been less widely accepted, and the 1911 Bolivarian Extradition Treaty has only a limited regional application. For the most part, then, the practice of diplomatic asylum is governed by the usage of nations. Whether this usage has crystallized into customary international law is a debatable question because the element of intervention, or political motivation, no matter the protests to the contrary, is always suspected in any grant of diplomatic asylum. The recent controversy between Colombia and Peru concerning the status of Víctor Raúl Haya de la Torre as a political fugitive provides an interesting case history in the subject of diplomatic asylum.

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[21] Manley O. Hudson, *International Legislation* (Washington, 1931—), Vol. 6, pp. 607–12. The United States signed this Convention with its reservation of 1928. The Convention has been ratified by twelve states.

[22] Ernesto Barros Jarpa, *Derecho Internacional Público* (3d ed., Santiago de Chile, 1945), p. 165; Padelford, pp. 157–59. See also, Henry Helfant, *La Doctrina Trujillo del Asilo Diplomático Humanitario* (México, D.F., 1947), pp. 27–29.

[23] Argentina, Ministry of Foreign Affairs and Worship, *Project of a Convention on the Right of Asylum* (Buenos Aires, 1937), pp. 4, 19.

[24] Hudson, *International Legislation*, Vol. 8, pp. 404–11.

[25] Council of the Organization of American States, *Decisions Taken at the Meeting Held on February 14, 1951* (Washington, 1951), pp. 25–26. At the Ninth Conference of American States held at Bogotá in 1948, an "American Declaration of the Rights and Duties of Man" was drawn up which included a provision on the "right of asylum." U. S. Department of State, *Ninth International Conference of American States* (Washington, 1948), p. 264.

II. THE COLOMBIAN-PERUVIAN ASYLUM CASE

Since 1924 the Alianza Popular Revolucionaria Americana (APRA), led by its founder, Víctor Raúl Haya de la Torre, has been a storm center in the turbulent political climate of Peru. Working more often underground or as a political exile than with any legitimate political status, Haya de la Torre has sought to further a program emphasizing such points as alliance among the Indo-American states, a united front against any imperialistic domination of these states, and such reforms within these states as land redistribution.[26] For years, at home and abroad, Haya de la Torre has been either epithetized as socialist, communist, or Latin-American chauvinist, or lauded for his penetrating understanding of Latin-American socio-economic problems and his sincere patriotism. However, he has only rarely achieved political status in his own country. The national election of 1945 saw the emergence of APRA and its leader from a nine-year sojourn underground and the acceptance of APRA as a legitimate political party in Peru. Three years later, APRA was scattered and Haya de la Torre was once more a hunted fugitive; but this time he had also become an international *cause célèbre.*

The Haya de la Torre case had its origins in a melodramatic political situation which developed in Peru in the autumn of 1948—a situation involving an abortive *coup d'état* allegedly engineered by APRA against the government of President José Luis Bustamante y Rivero and a successful *coup d'état* led against the same government by General Manuel A. Odría. The remote causes of this complex situation are to be found in long-standing and serious political and economic tensions in Peru. The immediate causes can be assigned to conflicts over governmental policies in which the cleavage between the Peruvian conservative point of view and that of the leftest APRA could not be bridged or reconciled by the relatively moderate Bustamante. By the summer of 1948 unrest was endemic in the country and was reflected in repeated cabinet changes, a "strike" in Congress, and an army revolt in southern Peru. These conditions forced President Bustamante to assume decree-power and to declare a state of siege which suspended the constitutional guarantees of individual rights.[27] The climax to the tense situation came on October third at Callao in an abortive uprising against the government which involved naval personnel and armed civilians and resulted in the injury or death of a number of people. The government charged APRA with responsibility for the revolt, outlawed the party, and declared that its leader and others would be "tried for complicity" in the affair.[28] Weight was given to this accusation by the announcement that certain Aprista senators had sought diplomatic asylum in embassies in Lima. An order for the commencement of the trial of Haya de la Torre and others under charge of military rebellion was issued on October eleventh; two weeks later, those persons who had not yet surrendered were declared to be under arrest.[29]

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[26] For a brief description of APRA and its leader, see Austin F. Macdonald, *Latin-American Politics and Government* (New York, 1949), pp. 343–50. See, also, Víctor Raúl Haya de la Torre, *El Antimperialismo y el APRA* (2nd ed., Santiago de Chile, 1936); Government of Peru, *The Inner Meaning of the 'APRA' (Communism Undercover)* (Lima, n.d.); Eudocio Ravines, *The Yenan Way* (1951).

[27] *New York Times,* June 18, 1948, p. 13; July 6, p. 10; July 11, p. 19; July 12, p. 5.

While the Bustamante regime was initiating judicial proceedings against the Apristas, it was also busy trying to maintain order throughout the country in the face of an increasingly agitated political situation. On October twenty-seventh revolt flared up again. This time General Manuel A. Odría, former Minister of the Interior in President Bustamante's government, established a provisional government in politically restive Arequipa. Two days later, Bustamante was deposed as President. On October thirty-first, Odría arrived in Lima to become head of a Military Junta which assumed control of the government of Peru.[30] Placing the Bustamante regime's search for and prosecution of those implicated in the Callao uprising high on its agenda of unfinished business, the Military Junta issued a decree on November fourth providing for court martial in cases involving military rebellion, with severe penalties for the guilty and no opportunity for appeal. Coming when it did, this decree was readily interpreted as being especially designed for the outlawed Apristas, although the Peruvian government later denied before the International Court of Justice that the decree was ever intended to be *ex post facto*.[31] On November 16, 17, and 18, 1948, the government published an order in its official journal demanding the surrender of Haya de la Torre and other Apristas for trial on the charge of military rebellion.[32]

Meanwhile Víctor Raúl Haya de la Torre, "wanted" by both the Bustamante and Odría regimes for complicity in the Callao uprising, went into hiding. On January 3, 1949, it became known that he had sought asylum in the Colombian Embassy at Lima, a fact duly reported by the ambassador to the Peruvian Ministry of Foreign Relations and Religion on the following day, along with a request for a safe-conduct for the fugitive.[33] For several succeeding months the two governments engaged in an extensive diplomatic exchange regarding the disposition of Haya de la Torre, who had the status of political refugee in the Colombian view and that of common criminal and terrorist in the Peruvian view.[34] Colombia insisted that he was entitled to a safe conduct to enable him to leave the country; Peru rejoined that he was entitled only to be promptly surrendered to the local authorities to stand trial for his crimes. The diplomatic channel apparently affording no ready solution to this impasse, the Colombia ambassador notified the Peruvian government that his country would be agreeable to submitting the dispute to enquiry, conciliation, arbitration, judicial proceedings, or a consultative conference of the Foreign Ministers of the American States.[35] Peru suggested a judicial interpretation of the question and invited the Colombian government to commence negotiations looking to the presentation of the case to the International Court of Justice.[36]

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[28] *Ibid.*, Oct. 4, p. 1; Oct. 8, p. 19.

[29] Colombian-Peruvian Asylum Case, Judgment of November 20, 1950: *I.C.J. Reports, 1950*, p. 272.

[30] *New York Times*, Oct. 28, p. 1; Oct. 29, p. 18; Oct. 30, p. 1; Oct. 31, p. 38. General Odría and the Military Junta governed Peru until the presidential election of July, 1950, at which time Odría was confirmed as constitutional chief of state (*ibid.*, July 29, 1950, p. 5).

[31] *I.C.J. Reports, 1950*, p. 272.

[32] *Ibid.*, pp. 272–73.

[33] *I.C.J. General List, 1949*, No. 7, p. 5.

In Lima, on August thirty-first, the representatives of the two countries agreed to submit the asylum dispute to the Court under terms permitting either party to take the initiative in bringing up the case without incurring the disfavor of the other party.[37] On October fifteenth, Colombia approached the Court for a judgment on two questions:

> I. Within the limits of the obligations resulting in particular from the Bolivarian Agreement on Extradition of July 18th, 1911, and the Convention on the Right of Asylum of February 20th, 1928, both in force between Colombia and Peru, and in general from American international law, was Colombia competent, as the country granting asylum, to qualify the offence for the purposes of said asylum?
>
> II. In the specific case under consideration, was Peru, as the territorial State, bound to give the guaranties necessary for the departure of the refugee from the country, with due regard to the inviolability of his person?[38]

The Colombian case rested on the view that the country to whose embassy a fugitive had applied for asylum, in order to make that decision, must have the right to determine whether the fugitive should be classified as a common criminal, a deserter from the armed forces, or a political offender, and that such unilateral qualification was contemplated in the Bolivarian Agreement and the Havana Convention, to say nothing of being understood as customary under that international law which may be regarded as distinctly American. Once the fugitive had been unilaterally qualified as a political offender, then, according to Colombia, the territorial state was obliged to issue a safe-conduct to enable the fugitive to leave the country.[39]

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[34] *Idem.* See *Notes Exchanged between the Minister of Foreign Affairs of Peru and the Ambassador of Colombia referring to the Asylum of Victor Raul Haya de la Torre*, March 19, 1949 (Lima, n.d.); *New York Times*, March 27, 1949, p. 20.

[35] *I.C.J. General List, 1949*, No. 7, pp. 6–7.

[36] *Excelsior*, México, D.F., April 19, 1949, p. 15. This procedure was in accordance with Article 7 of the Protocol of Friendship and Co-operation between Colombia and Peru, signed at Rio de Janeiro, May 24, 1934 (*League of Nations Treaty Series*, Vol. 164, p. 22).

[37] *El Peruano, Diario Oficial*, Sept. 1, 1949, p. 1.

[38] *I.C.J. General List 1949*, No. 7, p. 9. The jurisdiction of the Court was founded on Art. 7 of the 1934 Protocol of Friendship and Co-operation (see above, n. 36); Art. 36, par. 1, and Art. 40 of the Statute of the International Court of Justice; and Art. 32 of the Rules of the Court.

[39] *I.C.J. General List, 1949*, No. 7, p. 3; *I.C.J. Communiqué*, No. 50/35 (unofficial), Sept. 25, 1950.

The Peruvian counterclaim rested essentially on two points: that Haya de la Torre was a common criminal and thus not qualified to receive diplomatic asylum under the Havana Convention and that diplomatic asylum could be granted only in conditions of urgency if the safety of the fugitive were endangered, which urgency could not be demonstrated in regard to Haya de la Torre since three months had elapsed between the Callao incident and his appearance at the Colombian Embassy in January, 1949. In granting asylum to Haya de la Torre, Peru contended, Colombia had violated provisions of Articles 1 and 2 of the 1928 Havana Convention.[40]

Neither party specifically asked the Court to determine whether Haya de la Torre should be surrendered although, in the last analysis, this was the main issue in dispute. On the face of it, each party was seeking a clarification of the pertinent provisions of the Havana Convention, which was the only one in effect between them dealing in any detail with asylum.

III. THE CASE BEFORE THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice read its first judgment in the Colombia-Peruvian Asylum Case on November 20, 1950. By a vote of 14 to 2 on Colombia's first question, the Court held that "Colombia, as the State granting asylum, is not competent to qualify the offence by a unilateral and definitive decision, binding on Peru."[41] It held that the asylum state must engage in some analysis of the fugitive's activities in order to determine whether the asylum may properly be given, but that this unilateral judgment must be considered provisional, to be recognized or not at the discretion of the territorial state. The Court rejected the Colombian argument that the Bolivarian and other extradition treaties, as well as custom, supported its contention that unilateral qualification is binding on the territorial state. In regard to asylum, the Bolivarian Agreement of 1911 provided only that the parties recognize the institution "consistent with the principles of International Law." The Court found that "the principles of international law do not recognize any rule of unilateral and definitive qualification by the State granting diplomatic asylum." Nor was reliance on extradition treaties with their usual provisions for the protection of political fugitives accepted by the Court. The unilateral decision of a state to allow a political fugitive to enter and remain within its natural jurisdiction was held to involve quite different considerations from those basic to a determination in diplomatic asylum. The grant of political territorial asylum thus does not constitute an interference with the sovereignty of the state in which the offense was committed and from which the fugitive escaped. On the other hand, the grant of diplomatic asylum "withdraws the offender from the jurisdiction of the territorial State" by giving him an extraterritorial refuge within that state and "constitutes an intervention in matters which are exclusively within the competence of that State. Such a derogation from territorial sovereignty cannot be recognized unless its legal basis is established in each particular case."[42]

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[40] *I.C.J. Reports, 1950*, p. 271. The two claims were amended after the oral arguments. The pertinent provisions of the Havana Convention are Art. 1, par. 1: "It is not permissible for States to grant asylum in legations . . . to persons accused or condemned for common crimes, or to deserters from the army or navy"; Art. 2, par. 1, item 1: "Asylum granted to political offenders in legations . . . shall be respected to the extent in which allowed, as a right or through humanitarian toleration, by the usages, the conventions or the laws of the country in which granted and in accordance with the following provisions: First: Asylum may not be granted except in urgent cases and for the period of time strictly indispensable for the person who has sought asylum to ensure in some other way his safety" (*League of Nations Treaty Series*, Vol. 132, pp. 327, 329).

[41] *I.C.J. Reports, 1950*, pp. 278, 288. As the International Court of Justice has no judges of the nationality of the parties, each appointed an *ad hoc* judge, in accordance with Article 31, paragraph 3, of the Statute. Colombia was "represented" by Sr. José Joaquín Caicedo Castilla; Peru, by Sr. Luis Alayza y Paz Soldán (*I.C.J. Communiqué*, No. 50/35 [unofficial], Sept. 25, 1950).

Colombia had sought support for its first question in the conventions on asylum concluded at Havana in 1928 and at Montevideo in 1933. The Court found nothing in the Havana Convention concerning unilateral qualification.[43] As for the Montevideo Convention, it was ruled out of the discussion because Peru's failure to ratify it could be construed as a rejection of the Convention and its explicit provision permitting unilateral qualification of the fugitive by the asylum state. Colombia had also sought to advance the ingenious argument that the Montevideo Convention represented a codification of rules regarding the practice of asylum which could be described as generally accepted in Latin America and, hence, was binding on Peru. This plea followed the Colombian view that "American international law in general" recognized unilateral qualification in asylum as binding upon the territorial state. The fact, however, that the Montevideo Convention was described in its preamble as a "modification" of the Havana Convention and that it included the specific provision on unilateral qualification, which had not appeared in the earlier one, seemed to the Court to vitiate Colombia's argument.[44] With respect to such arguments founded on conventions and/or international practice concerning asylum, the Court concluded:

> The facts brought to the knowledge of the Court disclose so much uncertainty and contradiction, so much fluctuation and discrepancy in the exercise of diplomatic asylum and in the official views expressed on various occasions, there has been so much inconsistency in the rapid succession of conventions on asylum, ratified by some States and rejected by others, and the practice has been so much influenced by considerations of political expediency in the various cases, that it is not possible to discern in all this any constant and uniform usage, accepted as law, with regard to the alleged rule of unilateral and definitive qualification of the offence.[45]

In answer to Colombia's second question, regarding the mandatory issuance of the safe-conduct, the Court held that "the Colombian Government is not entitled to claim that the Peruvian Government should give the guarantees necessary for the departure of Haya de la Torre from the country, with due regard to the inviolability of his person."[46] It was pointed out that the territorial state may at its discretion require that the political refugee leave the country; the safe-conduct would then issue as a matter of course. Although this is the usual practice among states, the Court considered that Peru was under no legal obligation to conform to it. Since Peru had not requested Haya de la Torre's departure, and indeed, had refused a safe-conduct because the grant of asylum was in dispute, Colombia had no grounds to assert that Peru was delinquent in this matter.

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[42] *I.C.J. Reports, 1950*, pp. 274–75.

[43] See above, n. 40.

[44] *I.C.J. Reports, 1950*, p. 276.

[45] *Ibid.*, p. 277.

[46] The vote was 15 to 1 (*ibid.*, pp. 279, 288).

In its consideration of the Peruvian counterclaim, the Court rejected, by a vote of fifteen to one, the argument that Haya de la Torre was a common criminal, and hence not eligible for asylum. Peru could show that he was an "accused person" according to Article 1, paragraph 1 of the Havana Convention, but Peru could not show that he was accused of "common crimes." The Court pointed out that the Peruvian Code of Military Justice of 1939 distinguished between "common crimes" and the crime of "military rebellion." As Haya de la Torre was accused of military rebellion, it followed that he was not a common criminal within the meaning of the Havana Convention.[47]

In reaching a decision on the second point in the Peruvian counterclaim, the Court displayed the greatest division of opinion shown in this Judgment. It voted ten to six to uphold the Peruvian submission that the grant of asylum from January 3/4, 1949, to August 31, did not constitute an act of urgency within the meaning of the Havana Convention.[48] Considering that Peru would accept the practice of diplomatic asylum for humanitarian reasons—to protect a political fugitive whose life might be endangered by a mob, for instance—the Court was unable to find any basis for the Colombian contention that Haya de la Torre's life was in danger when he appeared at the embassy on January third, in view of the lapse of three months between this event and the Callao incident. The Colombian submission that this danger could also exist where judicial processes were subordinated to political control in a country was nullified in the Court's opinion by the Peruvian statement that the decree of November 4, 1948, which established summary procedure in cases of military rebellion, was not intended to have *ex post facto* effect. The Court stated on this point:

> In principle, therefore, asylum cannot be opposed to the operation of justice. An exception to this rule can occur only if, in the guise of justice, arbitrary action is substituted for the rule of law. Such would be the case if the administration of justice were corrupted by measures clearly prompted by political aims. Asylum protects the political offender against any measures of a manifestly extra-legal character which a government might take or attempt to take against its political opponents. . . . On the other hand, the safety which arises out of asylum cannot be construed as a protection against the regular application of the laws and against the jurisdiction of legally constituted tribunals. Protection thus understood would authorize the diplomatic agent to obstruct the application of the laws of

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[47] *Ibid.*, pp. 282, 288.

[48] *Ibid.*, pp. 287–88. Dissenting opinions were filed by Alvarez (Chile), Badawi Pasha (Egypt), Read (Canada), Azevedo (Brazil), and Caicedo (Colombian *ad hoc* judge). Zoričić (Yugoslavia) accepted the majority opinion on the first three points; but taking the view that the asylum had been granted in conformity with the pertinent provisions of the Havana Convention, he shared Read's dissenting opinion on this point (*ibid.*, p. 289).

> the country whereas it is his duty to respect them; it would in fact become the equivalent of an immunity, which was evidently not within the intentions of the draftsmen of the Havana Convention.[49]

To permit political offenders to evade the jurisdiction of their state through the assistance of a foreign state would constitute a violation of "one of the most firmly established traditions of Latin America, namely, non-intervention." Colombia's submission of examples of acquiescence by territorial states in similar grants of asylum was dismissed on the ground that such acquiescence was motivated by considerations of political expediency. The Court concluded that the political refugee can be protected under the Havana Convention only under conditions of urgency and not as a general procedure, either during a revolution or in the unsettled period which may follow thereafter.[50]

The Colombian reaction to the Judgment was decidedly unfavorable. Commenting on the case, Dr. Eduardo Zuleta Angel, then Colombian Ambassador to the United States and Minister of Foreign Relations of Colombia at the beginning of the asylum incident, stated that it "demonstrated beyond question that European jurists are absolutely incapable of understanding our American problems and of comprehending our legal concepts in international matters."[51] In his opinion, the Latin-American states could not now feel constrained to ratify the 1948 Bogota Convention for the Pacific Settlement of Disputes and thus find themselves required to submit their disputes for settlement to the International Court of Justice.[52] In other parts of Latin America, the decision was received with reservations; in the United States, the *New York Times*, commenting editorially, stated that "the World Court has rejected the Latin-American thesis [of a regional international law] and has fallen back on accepted international law to be applied the world round. It appears to have dealt a mortal blow to the traditional, humane 'right of asylum' which has been a salutary practice for generations."[53]

Colombia immediately asked the Court for an interpretation of the Judgment with reference to the disposition of Haya de la Torre should Peru request his surrender or in event that Peru should not make this request.[54] This, of course, was the major issue for the parties in the original instance, but it was not raised specifically in their submissions to the Court at that time. For this reason, on November twenty-seventh, the Court dismissed the Colombian request. The Court also pointed out that Article 60 of the Statute of the Court requires as a condition for an interpretation that the Judgment must be in dispute between the parties. As only Colombia had requested the interpretation, this requirement of the Statute had not been met.[55] So the Judgment of November twentieth remained as before, with the main issue unsettled. The case, however, was far from terminated.

The next several weeks witnessed a renewal of diplomatic exchanges between

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[49] *Ibid.*, p. 284. [50] *Ibid.*, pp. 285–86.

[51] *New York Times*, Nov. 22, 1950, p. 24. [52] *Ibid.*

[53] *Ibid.*, Nov. 23, p. 36. See also *La Razón*, La Paz, Dec. 4, 1950, p. 4; *La Nación*, Santiago de Chile, December 3, 1950, p. 16.

[54] *I.C.J. Reports, 1950*, p. 399. [55] The vote was 12 to 1 (*ibid.*, p. 403).

Peru and Colombia, the one demanding the immediate surrender of Haya de la Torre in fulfillment of the Judgment and the other rejecting these demands as being incompatible with the terms of the Judgment. In the face of increasingly strained relations between the parties, the United States made a conciliatory move by offering its good offices toward the settlement of the controversy.[56] Although this action was denounced in Peru as "intervention," elsewhere, it was approved as appropriate to the tense situation.[57] Meanwhile, on December thirteenth, Colombia returned to the judicial process and applied to the International Court of Justice for a ruling on the question of the surrender of the Aprista chief to Peru.[58] A month later, Colombia asked the Court to modify this application to include reference to the 1928 Havana Convention on Asylum and at the same time requested that the Registrar of the Court circularize all parties to this Convention to ascertain their interpretation of its provisions. In a letter of February 15, 1951, Cuba replied with a statement of views on both the Convention and asylum in general.[59] The presence of Cuba could be viewed only dimly by Peru, which had broken off diplomatic relations with that Caribbean state in August, 1949, after two Apristas who had received asylum in the Cuban embassy at Lima mysteriously disappeared from the embassy and soon thereafter mysteriously appeared in Havana.[60] Peru challenged the Cuban intervention as being politically motivated; the Court, however, held the Cuban action admissible.[61]

In the third phase of the Colombia-Peruvian Asylum Case, both parties asked the Court for a ruling on the method to be followed in executing the Judgment of November 20, 1950. The question was raised as to whether Colombia was obliged to surrender Haya de la Torre to the Peruvian authorities. Peru, for its part, requested the Court to declare that the asylum should have terminated on November twentieth and must cease immediately.[62]

The Cuban contribution to this phase of the Haya de la Torre affair can be summed up as "asylum once accorded must be respected."[63] Cuba drew attention to the fact that the Havana Convention provides no sanction against an asylum state for granting asylum in violation of the provision of Article 2 regarding urgency. Stating that the terms of the Convention "in an unconditional manner" excluded the surrender of a political offender to local authorities, Cuba advanced the point that states in effect recognize a "juridical duty" to refrain from demanding the surrender of such a fugitive. In the Cuban view, asylum could be terminated only by the voluntary act of the fugitive, his death, or his departure from the country under a safe-conduct.[64]

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[56] *New York Times*, Dec. 2, 1950, p. 6.

[57] *1950 Semanario Peruano*, Dec. 4, 1950, pp. 5–6; *La Razón*, La Paz, Dec. 4, 1950, pp. 1, 4.

[58] *I.C.J. General List, 1950*, No. 14, pp. 4–5. Haya de la Torre Case, Order of January 3rd, 1951: *I.C.J. Reports, 1951*, pp. 4–6.

[59] Haya de la Torre Case, Judgment of June 13th, 1951: *I.C.J. Reports, 1951*, pp. 73–74. See Articles 63 and 66, Rules of the Court.

[60] *Mercurio*, Santiago de Chile, Aug. 20, 21, 1949. The asylum granted to the two Apristas in December, 1948, by the Cuban Ambassador had been challenged by Peru for reasons similar to those in the case of Haya de la Torre. While the two governments were discussing the desirability of submitting this issue to the Court, the Apristas vanished from the embassy and made their way to Havana. Peru severed diplomatic relations with Cuba, an unpleasant situation which was aggravated when the Cuban government decorated the ambassador on his return to Havana. See Haya de la Torre Case, *Pleadings* (May 1951), p. 3.

[61] *Ibid.*, pp. 3–5.

[62] *I.C.J. Reports, 1951*, p. 75.

[63] *Pleadings* (May 1951), p. 40.

The third Judgment in the Colombian-Peruvian Asylum Case was presented on June thirteenth. The Court unanimously rejected the request of both parties for some statement regarding the mode of execution of the first Judgment. Taking the view that its function was limited to "defining legal relations" established by the Havana Convention between the parties and not to determining how the parties should carry out a Judgment, the Court declared that "a choice amongst [several possible courses of action] could not be based on legal considerations, but only on considerations of practicability or of political expediency; *it is not part of the Court's judicial function to make such a choice.*"[65] In its first submission, Colombia also asked the court to decide whether "in execution of the said Judgment [of November twentieth]" Colombia was obliged to surrender Haya de la Torre to Peru. The Court held that, since this question had not been included in the submission made in the first case, "it is not therefore possible to deduce from the Judgment of November 20th any conclusion as to the existence or non-existence of an obligation to surrender the refugee."[66]

In an alternative submission, the Court was asked by Colombia to rule "in the exercise of its ordinary competence" that Colombia was not obliged to surrender the fugitive. The Court agreed that Colombia was under no obligation to deliver Haya de la Torre to the Peruvian authorities.[67] In a lengthy review of the pertinent provisions of the Havana Convention, the Court found that, while Article 1 provides for the surrender of a common criminal to the local authorities on request, with regard to a political fugitive, it provides only for his departure under a safe-conduct. It is true that in its first Judgment the Court had held that a safe-conduct would issue only when the asylum has been "regularly granted" and at the discretion of the territorial state; the Court reasoned its way out of this situation by deciding that Colombia's assisting Peru in the latter's prosecution of justice by surrendering Haya de la Torre would "exceed the first decision." Nor could such an act be justified in the absence of an "express provision in the Havana Convention to that effect," especially as the Havana Convention makes no reference to the mandatory termination of political asylum even when such asylum has been granted in violation of the Convention.[68] Peru's objection to this alternative submission of Colombia was dismissed on the ground that Peru had not proved in the first case that Haya de la Torre was a common criminal and, hence, that an obligation existed to surrender him.[69]

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[64] *Ibid.*, pp. 39–40. [65] *I.C.J. Reports, 1951*, p. 79. [66] *Ibid.*

[67] *Ibid.*, p. 82. The vote was 13 to 1, with Peruvian *ad hoc* Judge Alayza y Paz Soldán the dissenter.

[68] *Ibid.*, p. 81.

The Court unanimously upheld the Peruvian countersubmission that the asylum should have terminated after the first Judgment and must terminate immediately. Having just ruled that it was not mandatory for Colombia to surrender the fugitive, the Court explained that "there is no contradiction between these two findings, since surrender is not the only way of terminating asylum."[70] By way of conclusion to what has been described as a "true judgment of Solomon,"[71] the Court cheerfully assured Colombia and Peru that

> it can be assumed that the Parties, now that their mutual legal relations have been made clear, will be able to find a practical and satisfactory solution by seeking guidance from those considerations of courtesy and good-neighbourliness which, in matters of asylum, have always held a prominent place in the relations between the Latin-American republics.[72]

The third Judgment would seem to have returned the parties to the *status quo ante* November 20, 1950, save, of course, that their "mutual legal relations have been made clear." In any event, they have chosen to reopen diplomatic negotiations looking to a solution of the problem.[73] In what amounts to an almost farcical situation, Colombia is not obliged to surrender the fugitive yet must immediately terminate the asylum which, under the Havana Convention, can only be achieved by the issuance of a safe-conduct by Peru, an act which according to the first Judgment is discretionary on the part of the territorial state. Apart from some solution which the parties may reach through the diplomatic channel, the remaining alternatives seem to be the fugitive's voluntary surrender to Peru, his demise, or, as in the case of his colleagues who had lodged in the Cuban embassy, his disappearance from Peru in an undisclosed manner. One factor to be considered with regard to the termination of the asylum now is important but difficult to assess, i.e., the status of the Odría regime. Political and economic conditions in Peru may have improved enough that there is no real political necessity for concern about APRA or its leader. As far as the Odría regime can capitalize on some of those points in APRA's program which represent reasonable suggestions for improvements in socio-economic conditions in Peru, equally far is the strength of APRA as an opposition party sapped and the influence of Haya de la Torre lessened. His status as a political offender thus becomes a matter of relatively little political concern, much less a matter over which neighboring states can afford to jeopardize amicable international relations.

CONCLUSION

Whatever its ostensible motivation, whether considerations of political expediency, humanitarianism, or legal principle, the grant of diplomatic asylum is always suspect. It is as much a matter of politics as of law; perhaps it is more a matter of politics, with the role of law confined largely to limited attempts to regularize a rather erratic practice.

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[69] *Ibid.*, p. 82. [70] *Ibid.*

[71] *New York Times*, June 24, 1951, sec. 4, p. 8.

[72] *I.C.J. Reports, 1951*, p. 83.

[73] *New York Times*, July 15, 1951, p. 20. No settlement had been reached up to January, 1952.

Diplomatic asylum can be granted with no better aim than that of deliberate meddling in local politics, perhaps gratuitously, or more likely for the sake of aiding and abetting favorites among political elements. The protection of a political "out" can serve to embarrass and even to undermine the control of a country by a political "in," with the ulterior motive of profiting should the center of control shift elsewhere. This is intervention of a kind which has been so frequent in Latin America as to make the promotion of "non-intervention" a major objective of much Latin-American foreign policy. Furthermore, this is intervention coupled with a misuse of the immunity from local interference granted by international law to the diplomatic mission in a foreign country.

On the other hand, motives of humanitarianism may well inspire the grant of diplomatic asylum where violence marks changes in government and no quarter is allowed to dissenters. In the face of these conditions, even countries such as the United States, which refuse to condone diplomatic asylum as a legal principle, will permit the use of an embassy as a temporary refuge for political offenders. This, too, is intervention, and from an objective legal point of view is no more excusable than that which is undertaken as deliberate interference. Yet as long as extra-legal methods are used in countries to effect political changes, it will be necessary on occasion to offer protection to the opposing forces. In this situation, the function of a diplomatic mission is unenviable. It must be sufficiently alert to political developments in a state that a self-styled political offender can be readily recognized for what he is. Following the several Judgments in the Colombian-Peruvian Asylum Case, the asylum state must then try to persuade the territorial state to grant a safe-conduct to the fugitive or else to assure him of protection within the country.

Although *stare decisis* is not the rule for international courts, the Colombian-Peruvian Asylum Case, as the first of its kind to go before such a tribunal, might have contributed more than it has to the clarification of an erratic practice. It is certainly desirable, both for the progressive development of international law and the continuing assertion of law and order in international politics, that grants of diplomatic asylum be discouraged and that such grants as are made be stringently regulated. A perusal of the Judgments of the International Court of Justice in the Haya de la Torre Case suggests that a thoroughgoing review of the usages and treaties dealing with diplomatic asylum would be in order. As the Latin-American states have taken the initiative in seeking to regularize the practice through law, it is to be hoped that this review may actually be carried out at the tenth International Conference of American States.

CONSTITUTIONAL LAW IN 1950–1951

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While the personnel of the Court remained unchanged during the 1950 term, it became abundantly clear that the Roosevelt Court was being supplanted by the Truman Court.[1] Certainly the voting behavior of President Truman's last two appointees bore little resemblance to that of the men they replaced, the late Justices Murphy and Rutledge.[2] Students of the Court were glad to note, during the period covered by the term under review, the publication of a number of biographical and analytical studies of different justices, particularly a first full-length history of Chief Justice Hughes.[3] The increasing productivity of scholars in the field of judicial biography promises much in the way of an enhanced understanding of one of our most interesting, complex and powerful national institutions. In addition, attention should be drawn to the publication of a number of books dealing with important aspects of the Constitution.[4]

Following the pattern of the previous year, the Court disposed of an unusually small number of cases during the 1950 term, and exercised its power of denying certiorari in a larger number of cases than has been customary in recent times. This has given rise to charges of laziness and incompetence,[5] though it is very doubtful whether an intelligent and fair appraisal of the work of the Court can be made in quantitative terms alone. Certainly many of the cases disposed of during the last term of Court were "hard" ones. In any event, during the term under review, 128 cases were decided on the merits, of which 114 were disposed of with 98 written opinions and 14 by memorandum order. There were in all 1202 dispositions. On its appellate docket the Court granted certiorari in 89 cases, denied it in 491 and dismissed in 7.[6] In other words, 15.2 per cent of all petitions for certiorari were granted, as compared with 13 per cent in the previous term, and 21 per cent in the term before that. On the miscellaneous docket the Court granted certiorari in 17 cases, denied it in 383 and dismissed in 3 cases. Discretionary review was thus allowed in 4.2 per cent of the petitions on this docket.

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[1] Alfred L. Scanlan, "The Roosevelt Court Becomes the Truman Court," *Notre Dame Lawyer*, Vol. 26, pp. 214–267 (1951).

[2] George D. Braden, "Mr. Justice Minton and the Truman Bloc," *Indiana Law Journal*, Vol. 26, pp. 153–168 (1951); C. B. Dutton, "Mr. Justice Tom Clark," *ibid.*, pp. 169–184.

[3] Merlo J. Pusey, *Charles Evans Hughes* (New York, 1951). See also Samuel Hendel, *Charles Evans Hughes and the Supreme Court* (New York, 1951). Two additional biographies are worth noting: Willard L. King, *Melville Weston Fuller* (New York, 1950) and J. F. Paschal, *Mr. Justice Sutherland* (Princeton, 1951). For a recent study of Justice Black's opinions, with scant biographical data, see Charlotte Williams, *Hugo L. Black* (Baltimore, 1950). Recent short essays in this field include: A. T. Mason, "Harlan Fiske Stone: In Defense of Individual Freedom, 1918–20," *Columbia Law Review*, Vol. 51, pp. 147–169 (1951); A. T. Mason, "Harlan Fiske Stone Assays Social Justice, 1912–1923," *University of Pennsylvania Law Review*, Vol. 99, pp. 887–918 (1951); Charles Fahy, "The Judicial Philosophy of Mr. Justice Murphy," *Yale Law Journal*, Vol. 60, pp. 812–820 (1951); E. V. Wiley, "Justice Rutledge and State Taxation of Interstate Commerce, 1950," *Washington University Law Quarterly*, pp. 399–422 (1950); Leon D. Epstein, "Justice Douglas and Civil Liberties," 1951 *Wisconsin Law Review*, pp. 125–157; Robert B. Dishman, "Mr. Justice White and the Rule of Reason," *Review of Politics*, Vol. 13, pp. 229–243 (1951).

[4] Irving Brant, *James Madison: Father of the Constitution, 1787–1800* (New York, 1950); Owen J. Roberts, *The Court and the Constitution* (Cambridge, 1951); Clinton Rossiter, *The Supreme Court and the Commander-in-Chief* (Ithaca, 1951); E. S. Corwin, *Constitution of Powers in a Secular State* (Charlottesville, 1951); Kenneth Culp Davis, *Administrative Law* (St. Paul, 1951); Virginia Wood, *Due Process of Law, 1932–1949* (Baton Rouge, 1951); V. C. Hopkins, *Dred Scott's Case* (New York, 1951); F. H. Cook, *Principles of Business and the Federal Law* (New York, 1951).

Of the full opinion cases, only 38 (39 per cent) were decided by unanimous votes, while in 60 (61 per cent) one or more justices dissented. As for the cases decided by memorandum order, 53 (77 per cent) commanded a unanimous vote, and in 16 (23 per cent) there were dissents, including five cases where the Court was evenly divided.[7] The leading dissenters were Justice Douglas, who disagreed with the majority 43 times, and Justice Black, who cast 39 dissenting votes. Chief Justice Vinson dissented only 6 times, and Justice Clark 8 times.[8] The leading authors of concurring opinions were Justices Jackson (8) and Frankfurter (6).

The denial of certiorari during the 1949 term, in what seemed to many informed observers important cases presenting issues deserving the attention of the Court, aroused a great deal of comment.[9] The headshaking continued during the 1950 term as the Court persisted in a vigorous sifting and winnowing of petitions for review falling within its discretionary jurisdiction. There was good reason to think, for example, that the Court should have agreed to review cases involving questions concerning the power and procedure of a federal trial court in connection with holding defense lawyers in contempt.[10] Indeed, perhaps as a result of widespread criticism, the Court vacated the order denying certiorari, at the beginning of the following term, on October 22, 1951, and granted review of the Court of Appeals of the Second Circuit.[11] This action was a most unusual occurrence.

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[5] For an intemperate statement, see Yale Law School's Professor Fred Rodell, "Our Not So Supreme Court," *Look*, July 31, 1951, p. 60. He said: "The Truman-Vinson Court, judged both by the quantity of work it takes on and by the quality of its work, has branded itself—conservatism aside—as incompetent, indolent and irresponsible." He noted that under Chief Justice Hughes the Court decided about 200 cases a year with full opinion. "But under Chief Justice Vinson, the number has plummeted to a new and scandalous low." And he added: "Part of the difference is due to comparative incompetence and part to sheer laziness." Professor Rodell concluded: "On the plain face of the record to date, the Truman-Vinson Court has not only carried its incompetence into irresponsibility but has also stretched its conservatism to the point of cowardice."

[6] In *Hammerstein v. Superior Court of California*, 341 U. S. 491 (1951), after argument, certiorari was dismissed on the ground that it had been granted improvidently.

[7] The most important of the evenly divided cases was *Bailey v. Richardson*, 341 U. S. 918 (1951), which is discussed later in this article.

[8] The number of dissenting opinions was, of course, much smaller. Justice Frankfurter wrote 16, Justice Douglas 15, and Justice Black 10. The Chief Justice wrote only one, and Justice Minton wrote two.

[9] See Fowler V. Harper and A. S. Rosenthal, "What the Supreme Court Did Not Do in the 1949 Term—An Appraisal of Certiorari," *University of Pennsylvania Law Review*, Vol. 99, pp. 293–325 (1950).

I. QUESTIONS OF NATIONAL POWER

1. FEDERAL BILL OF RIGHTS

Free Speech. The combatting of disloyalty and the encouragement of loyalty have become, under the pressure of cold-war tensions, the nation's principal public preoccupations.[12] Some state and federal laws provide for criminal punishment of those who engage in subversive activities. Another group of laws or regulations are designed to dismiss or bar disloyal people from public employment. Still another approach is through non-Communist affidavits or loyalty oaths of one sort or another. A few states try to promote loyalty in some positive fashion by requiring students to study American or state history, or aspects of American institutions.[13] Having previously sustained the political sterilization of civil servants[14] and the non-Communist affidavit section of the Taft-Hartley Act[15] against constitutional objections, the Supreme Court finally ruled on the validity of the Smith Act of 1940 in *Dennis v. United States.*[16] The Court had a chance to do so in 1943, in the case of the Trotskyite Communists, but inexplicably refused to grant certiorari.[17]

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[10] *Sacher v. United States*, 182 F. 2nd 416 (2nd Cir. 1950), cert. denied, 341 U. S. 952 (1951); *Hallinan v. United States*, 182 F. 2nd 880 (9th Cir. 1950), cert. denied, 341 U. S. 952 (1951). Justices Black and Douglas thought certiorari should have been granted. Circuit Judge Clark wrote a dissenting opinion in the *Sacher* case which alone should have warranted further review. On the general point, see Fowler V. Harper and David Haber, "Lawyer Troubles in Political Trials," *Yale Law Journal*, Vol. 60, pp. 1–56 (1951).

[11] *Sacher v. United States*, 96 L. Ed. Adv. Op. 48. See Fowler V. Harper, "The Supreme Court Reconsiders," *Nation*, Vol. 173, pp. 396–8 (Nov. 10, 1951).

[12] Evidence of these preoccupations are the following books and articles: Nathaniel Weyl, *The Battle Against Disloyalty* (New York, 1951); Alan Barth, *The Loyalty of Free Men* (New York, 1951); Walter Gellhorn, *Security, Loyalty and Science* (Ithaca, 1950); D. E. Dayton, "The 'Little Red Schoolhouse' and the Communists: New York State Struggles with the Problem of Educating for a Free Society," *Cornell Law Quarterly*, Vol. 35, pp. 824–856 (1950); James Marshall, "The Defense of Public Education from Subversion," *Columbia Law Review*, Vol. 51, pp. 587–604 (1951); Comment, "The New York and California Experiments with Academic Control," *University of Chicago Law Review*, Vol. 18, pp. 293–303 (1951).

For other writings of the year touching upon civil liberties problems see: A. Reppy, *Civil Rights in the United States* (New York, 1951); F. H. Heller, *The Sixth Amendment* (Lawrence, Kans., 1951); J. J. Cogan, Jr., *The Law of Search and Seizure* (Chicago, 1950); P. Murray, *States' Laws on Race and Color* (Cincinnati, 1951); R. K. Carr (ed.), *Civil Rights in America*, *Annals*, Vol. 275, pp. 1–161 (May, 1951); P. A. Freund, "The Supreme Court and Civil Liberties," *Vanderbilt Law Review*, Vol. 4, pp. 533–554 (1951); R. L. Hale, "Some Basic Constitutional Rights of Economic Significance," *Columbia Law Review*, Vol. 51, pp. 271–326 (1951); J. tenBroek, "Thirteenth Amendment to the Constitution of the United States," *California Law Review*, Vol. 39, pp. 171–203 (1951); M. Berger, "The New York State Law against Discrimination: Operation and Administration," *Cornell Law Quarterly*, Vol. 35, pp. 747–796 (1950); F. J. Whalen, Jr., "Punishment for Crime: The Supreme Court and the Constitution," *Minnesota Law Review*, Vol. 35, pp. 109–167 (1951); E. F. Waite, "The Negro in the Supreme Court: Five Years More," *ibid.*, pp. 625–639; J. D. Hyman, "Segregation and the Fourteenth Amendment," *Vanderbilt Law Review*, Vol. 4, pp. 555–573 (1951).

After a marathon trial running from January 20 to September 23, 1949, eleven top-ranking leaders of the American Communist Party were convicted, in Judge Medina's court, of "willfully and knowingly" conspiring to organize the Party to "teach and advocate the overthrow and destruction" of the government "by force and violence," and of knowingly and willfully advocating and teaching "the duty and necessity of overthrowing and destroying" the government by force and violence. In his charge to the jury, Judge Medina declared "that it is not the abstract doctrine of overthrowing or destroying organized government by unlawful means which is denounced by this law, but the teaching and advocacy of action for the accomplishment of that purpose, by language reasonably and ordinarily calculated to incite persons to such action, . . . as speedily as circumstances would permit."[18] He added: "If you are satisfied that the evidence establishes beyond a reasonable doubt that the defendants, or any of them, are guilty of a violation of the statute, as I have interpreted it to you, I find as matter of law that there is sufficient danger of a substantive evil that the Congress has a right to prevent to justify the application of the statute under the First Amendment of the Constitution. This is a matter of law about which you have no concern." This interpretation was approved by Judge Learned Hand when he spoke for the Second Court of Appeals in affirming the conviction.[19] After reviewing the leading free speech cases decided by the Supreme Court, and particularly the *Douds* decision, Judge Hand asserted that "no longer can there be any doubt, if indeed there was before, that the phrase, 'clear and present danger,' is not a slogan or a shibboleth to be applied as though it carried its own meaning; but that it involves in every case a comparison between interests which are to be appraised qualitatively." In each case, he asserted, courts "must ask whether the gravity of the 'evil,' discounted by its improbability, justifies such invasion of free speech as is necessary to avoid the danger." He then asked the question: "When does the conspiracy become a 'present danger'?" And he answered: "The jury has found that the conspirators will strike as soon as success seems possible, and obviously, no one in his senses would strike sooner." Judge Hand then went on to analyze the situation that prevailed in 1948, when the indictment was found, and the nature of the American Communist Party, and concluded: "Nothing short of a revived doctrine of *laissez faire*, which would have amazed even the Manchester School at its apogee, can fail to realize that such a conspiracy creates a danger of the utmost gravity and of enough probability to justify its suppression. We hold that it is a danger 'clear and present.'" In other words, Judge Hand held that it was only proper for the jury to decide whether the defendants had violated the statute, but that "whether the mischief of the repression is greater than the gravity of the evil, discounted by its improbability," is not a question of fact at all. "Were it not so," he said, "there would be no chance for review, for the verdict would be final; moreover, different juries might give different verdicts, and any approach to uniformity . . . would be impossible."

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[13] W. B. Prendergast, "State Legislatures and Communism: The Current Scene," AMERICAN POLITICAL SCIENCE REVIEW, Vol. 44, pp. 556–574 (1950).

[14] *United Public Workers v. Mitchell*, 330 U. S. 75 (1947).

[15] *American Communications Association v. Douds*, 339 U. S. 382 (1950).

[16] 341 U. S. 494 (1951).

[17] *Dunne v. United States*, 138 F. 2nd 137 (8th Cir. 1943), cert. denied, 320 U. S. 790 (1943), rehearing denied, 320 U. S. 814 (1943).

[18] *United States v. Foster*, 9 F. R. D. 367, 391 (1949).

[19] *United States v. Dennis*, 183 F. 2nd 201 (2nd Cir. 1950).

When the Supreme Court granted certiorari, it sharply limited the scope of its review to two issues, the First Amendment question of free speech, and the due process issue of indefiniteness.[20] This excluded from consideration all questions dealing with the character and sufficiency of the evidence, as to which Judge Hand's decision was therefore final, and allegations relating to the conduct of the trial, discrimination in the selection of the jury panel, and the hostility of one juror. Oral argument was had before the Supreme Court on December 20, after the Court denied a motion for postponement of oral argument until January 22, 1951, in order to permit participation by an English barrister.[21] In an individual statement, Justice Frankfurter explained that "for obvious reasons, criminal cases should be heard with every expedition." Nevertheless, the Court did not announce its decision until June 4, 1951. The conviction was affirmed by a vote of six to two, Justice Clark not participating. In behalf of the majority Chief Justice Vinson wrote an opinion in which Justices Reed, Burton and Minton concurred; Justices Frankfurter and Jackson filed separate concurring opinions; and Justices Black and Douglas each wrote a dissenting opinion.

In view of the limited grant of certiorari, the principal issue before the Supreme Court was the correctness of Judge Medina's charge to the jury, and Judge Hand's gloss on the clear and present danger doctrine. Since Chief Justice Vinson presumes to accept the clear and present danger standard, he proceeded once more, as in the *Douds* case, to expound his understanding of it, and, as previously, to insist that his interpretation was in accord with that of Holmes and Brandeis. Whether the clear and present danger doctrine will survive much longer under the crushing weight of the Chief Justice's loving devotion remains to be seen, but the question is fairly debatable. Beginning with the undisputed proposition that free speech is not unlimited,[22] he proceeded to argue that where convictions were reversed by the Court, as in the cases of *Schneider, Cantwell, Struthers, Barnette* and *Collins,*[23] the interest the state was attempting to protect was too insubstantial to warrant restriction of speech. The Holmes-Brandeis dissent in the *Gitlow* case,[24] he explained, arose from the fact that a comparatively isolated event was involved which posed no substantial threat to the community. But, "overthrow of the Government by force and violence is certainly a substantial enough interest for the Government to limit speech. Indeed, this is the ultimate value of any society . . . . " In this case the danger is substantial, for it consists in the existence of a highly organized conspiracy of rigidly disciplined members dedicated to the overthrow of the government "in the context of world crisis."

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[20] 340 U. S. 863 (1950).

[21] 340 U. S. 887 (1950). The Court did not object to the Englishman, only to the delay.

[22] "Nothing is more certain in modern society than the principle that there are no absolutes, that a name, a phrase, a standard has meaning only when associated with the considerations which gave birth to the nomenclature. . . . To those who would paralyze

On the crucial question of the imminence of the danger, the Chief Justice held that the Holmes-Brandeis doctrine "cannot mean that before the Government may act, it must wait until the *putsch* is about to be executed, the plans have been laid and the signal is awaited. . . . Certainly an attempt to overthrow the Government by force, even though doomed from the outset because of inadequate numbers or power of the revolutionists, is a sufficient evil for Congress to prevent." Judge Hand's statement of the rule was adopted as correct. It was therefore immaterial that no attempt was actually made to overthrow the government; it was enough that there was a group ready to make the attempt. It follows that of the two elements of the Holmes-Brandeis doctrine, clarity and imminence, the second was reduced in importance, if not altogether denatured. Chief Justice Vinson also ruled that Judge Medina was right in holding that whether the statute is directed against a substantive evil, which creates a clear and present danger Congress has the power to punish, was not a question for the jury. This is a question of law; all the jury has to do is to decide whether the statute was violated. Apparently it is a law question because it involves an interpretation of the scope of the First Amendment.

Finally, the Chief Justice ruled that the statute did not violate due process because of vagueness, though he conceded that the standard of the act was not "a neat, mathematical formulary." He noted that since the petitioners themselves insist that the verbalization "clear and present danger" is the proper standard, it doesn't make any difference whether the standard is in the statute itself or is the judicial measure of constitutionality. Borderline cases may arise in the future under this statute, but the Chief Justice pointed out that in the doubtful cases this Court will be available for review "with the scrupulous care demanded by our Constitution."

In his concurring opinion, Justice Frankfurter rehearsed his well-known objections to the clear and present danger doctrine ("a sonorous formula which is in fact only a euphemistic disguise for an unresolved conflict"), to the principle

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our Government in the face of impending threat by encasing it in a semantic straitjacket, we must reply that all concepts are relative" (341 U. S. 508).

[23] *Schneider v. State,* 308 U. S. 147 (1939); *Cantwell v. Connecticut,* 310 U. S. 296 (1940); *Martin v. Struthers,* 319 U. S. 141 (1943); *West Virginia Board of Education v. Barnette,* 319 U. S. 624 (1943); *Thomas v. Collins,* 323 U. S. 516 (1945).

[24] *Gitlow v. New York,* 268 U. S. 652 (1925).

that the presumption is against legislation which on its face invades free speech, and to the notion that First Amendment rights have a preferred position.[25] For him, the problem in this case is to weigh competing interests, and this is primarily the responsibility of Congress; a court can set aside its decision only where there is no reasonable basis for it. The legislative judgment is always entitled to deference, and should not be overturned merely because the judges might have made a different policy decision. In other words, Justice Frankfurter would reaffirm Justice Sanford's position in the *Gitlow* case, which he noted has never been overruled. And he had no doubt but that there was ample justification for the legislative judgment that the conspiracy in question posed a substantial threat to the security of the country. He insisted that the Court had always distinguished between the statement of ideas and advocacy or incitement of unlawful action, and that, while it is difficult to draw the line, there was no doubt in this instance. He agreed with Justice Douglas that this conspiracy was not a conspiracy to overthrow the government, "but it would be equally wrong to treat it as a seminar in political theory."

Justice Jackson developed the novel theory that the clear and present danger principle was a satisfactory "rule of reason" for the simpler cases for which it was devised, such as those involving "a hot-headed speech on a street corner, or circulation of a few incendiary pamphlets, or parading by some zealots behind a red flag . . . . " In other words, the rule was born in an age of political innocence, long before the era of World War II revealed "the subtlety and efficacy of modernized revolutionary techniques used by totalitarian parties." In the simpler situations, it is possible for judges to weigh the evidence and arrive at tenable conclusions. But judges have no way of assessing the imponderables that are present in such cases as that of the Communist conspiracy. And Justice Jackson emphasized that this was a conviction on a conspiracy charge. "The Constitution," he asserted, "does not make conspiracy a civil right." Indeed, the basic rationale of conspiracy is that it may be an evil in itself, one especially appropriate for conspiratorial Communism. As it had been established in the anti-trust cases, no overt act is needed, since conspiracy itself is the crime. It is no answer that words were used in the course of this conspiracy, since "communication is the essence of every conspiracy."

In a very short dissenting opinion, written more in sadness than in anger, Justice Black insisted that the question was not one of explaining prior decisions of the Court, but one of fundamental difference as to the significance of free speech. He thought that the statute as interpreted, in the absence of any overt acts, imposed a prior censorship in a most virulent form, and jettisoned the clear and present danger rule. The Court, in his judgment, had watered down the First Amendment to the point that it amounted to little more than an admonition to Congress. It would protect safe and orthodox views, but they rarely need protection. In his dissenting opinion, Justice Douglas claimed that the government's case rested mainly upon the fact that the petitioners taught Marxist-Leninist doctrines as contained largely in four books which have not been outlawed and which can be found in any library. Unfortunately, since the majority limited review so as to exclude all questions of the character and weight of the evidence, there is nothing in the opinions of those who voted in affirmance to indicate whether Justice Douglas's version of the record is correct or not. This case, he emphasized, involved only speech, and not overt acts of sabotage or unlawful conduct. And he thought that the *Pierce* case[26] had squarely held, many years ago, that the question of the existence of a clear and present danger is a matter for submission to the jury. Above all, he refused to believe that the Communist Party of the United States was very important or very dangerous; it did badly in elections; it had been thoroughly exposed; the country was not in despair. In America, he said, the Communists are "miserable merchants of unwanted ideas."

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[25] See his opinions in *Bridges v. California*, 314 U. S. 252, 295 (1941) (dissenting); *Pennekamp v. Florida*, 328 U. S. 331, 353 (1946) (concurring); *West Virginia State Board of Education v. Barnette*, 319 U. S. 624, 663 (1943) (dissenting).

In a case involving an order of the Labor Board,[27] the Court ruled that where peaceful picketing is forbidden because it falls within the scope of the section of the Taft-Hartley Act forbidding secondary boycotts, there has been no unconstitutional invasion of free speech. The Court had recently held that the states may proscribe picketing, however peaceful, which furthers unlawful objectives,[28] and having condemned the secondary boycott as a substantive evil, there is no reason why Congress may not do likewise.

The Federal Loyalty Program. The federal loyalty program, inaugurated by President Truman in Executive Order 9835,[29] on March 22, 1947, gives rise to constitutional issues in much the same way that a spinning grindstone gives off sparks. The order permits the denial of employment or the discharge of any civil servant if, "on all the evidence, reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States."[30] The leading case sustaining the loyalty order against constitutional objection was *Bailey v. Richardson,* decided by the Court of Appeals of the District of Columbia in 1950.[31] The Supreme Court granted certiorari on June 5, 1950,[32] and after sitting on the case for some ten months, affirmed the lower court by a 4-4 vote on April 30, 1951.[33] It is unfortunate that in consequence of an even division no opinion was filed by any justice of the Court, for legal issues of surpassing importance and interest to the country were at stake.

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[26] *Pierce v. United States,* 252 U. S. 239, 244 (1920). See E. L. Richardson, "Freedom of Expression and the Function of Courts," *Harvard Law Review,* Vol. 65, pp. 1–54 (1951); R. G. McCloskey, "Free Speech, Sedition and the Constitution," AMERICAN POLITICAL SCIENCE REVIEW, Vol. 45, pp. 662–673 (1951); Note, "Clear and Present Danger Reexamined," *Columbia Law Review,* Vol. 51, pp. 98–108 (1951).

[27] *International Brotherhood of Electrical Workers v. National Labor Relations Board,* 341 U. S. 694 (1951).

[28] *Giboney v. Empire Storage and Ice Co.,* 336 U. S. 490 (1949); *Building Service Employees International Union v. Gazzam,* 339 U. S. 532 (1950); *Hughes v. Superior Court of California,* 339 U. S. 460 (1950); *International Brotherhood of Teamsters v. Hanke,* 339 U. S. 470 (1950).

[29] 12 Fed. Reg. 1935.

[30] On April 28, 1951, the President substituted the phrase "reasonable doubt" for "reasonable grounds" (Exec. Order 10241, 16 Fed. Reg. 3690). This makes discharge easier to justify, and gives the various loyalty boards greater latitude for taking into consideration past actions and not merely evidence of present loyalty.

[31] 182 F. 2nd 46. [32] 339 U. S. 977.

[33] 341 U. S. 918. Justice Clark took no part in this case.

Dorothy Bailey, an employee of the Federal Security Agency, was notified by the Regional Loyalty Board of the Civil Service Commission that it had received information that she was a member of the Communist Party, that she had attended Communist Party meetings, and that she had on many occasions associated with known members of the Party. She was also informed that the Board had been told that she was a member of the American League for Peace and Democracy and the Washington Committee for Democratic Action, both on the Attorney-General's list. Miss Bailey denied all charges, except that she admitted past membership for a short time in the American League for Peace and Democracy. She vigorously asserted her loyalty, and requested an administrative hearing, where she testified and presented witnesses and numerous affidavits.

Speaking for the Court of Appeals, Judge Prettyman conceded that Miss Bailey's case was "undoubtedly appealing," since "she was not given a trial in any sense of the word, and she does not know who informed upon her." Nor, for that matter, did the board which fired her. But, he said, "it so happens that we are presently in an adversary position to a government whose most successful recent method of contest is the infiltration of a government service by its sympathizers." Judge Prettyman neglected to point out, however, that one of the main reasons why we are now in an adversary position with a government, with becoming judicial delicacy left unnamed, is that we believe in Bill of Rights procedures and that government does not.

The Court of Appeals set aside, however, that portion of the Board's order which barred Miss Bailey from the federal service for a period of three years, on the authority of the *Lovett* case.[34] But the Court ruled that the President was not obliged to follow Sixth Amendment procedures in dismissing subordinate executive employees, since mere dismissal is not punishment. Apparently it is punishment if the dismissal is for a specified period of time, whether three years or for all time, but the dismissal itself is not punishment. And since government employment is neither property nor a contract, the Court ruled that due process has never in our history required a judicial hearing for dismissal. It is all a matter of confidence on the part of superior officials, and confidence is not controllable by process. Free speech objections were brushed aside with the observation that the First Amendment does not guarantee government employment. Finally, the Court refused to make an exception of dismissal on grounds of disloyalty, because of the public stigma involved and the impairment of chances of making a living, since it is well established that there is no redress where government injures an individual in the exercise of a governmental power. "On behalf of the individual, our sense of justice rebels, but the counterbalancing essentials of effective government lead us to assent without equivocation to the rules of immunity." In fact, in the absence of congressional restriction, the President is free to discharge any employee of the government without assigning any reason and without notice of any kind. There may be dangers involved in such a program, but a court is the wrong place to air them. This is the decision which the Supreme Court affirmed.

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[34] *United States v. Lovett,* 328 U. S. 303 (1946). See F. D. Wormuth, "Legislative Disqualifications as Bills of Attainder," *Vanderbilt Law Review,* Vol. 4, pp. 603–619 (1951).

In a vigorous dissenting opinion, Judge Edgerton described the procedure which had been followed: no charges were served on Miss Bailey; the F. B. I. reports were not disclosed to her; the informants were not identified to her or even to the board, and their statements were not made under oath; Miss Bailey had no power to subpoena witnesses; whereas four witnesses appeared on her behalf and others submitted some seventy affidavits, no witness offered evidence, even hearsay, against her, and no affidavits were introduced against her. In other words, the record consisted entirely of evidence in her favor. And Judge Edgerton concluded: "However respectable her anonymous accusers may have been, if her dismissal is sustained the livelihood and reputation of any civil servant today and perhaps of any American tomorrow are at the mercy not only of an innocently mistaken informer but also of a malicious or demented one unless his defect is apparent to the agent who interviews him."

Judge Edgerton even expressed the opinion that Miss Bailey's dismissal violated the terms of the Executive Order itself. He noted that the Order permits dismissal if there are reasonable grounds "on all the evidence"; this does not mean that findings may be made without evidence. Unsworn anonymous statements are not substitutes for evidence, though they may be useful as leads to evidence. He also pointed out that the preamble of the Order states that the accused employee shall be afforded "maximum protection," but "hardly any protection at all is possible against vague assertions of unseen and unknown persons." Furthermore he thought that the Order's guarantee of "an administrative hearing" means a *full* administrative hearing.

As to the constitutional issues, Judge Edgerton argued that, unlike most dismissals from the government service, dismissal for disloyalty is punitive, within the meaning of the rule in the *Lovett* case. He also maintained that since Miss Bailey held a non-sensitive position, that of staff-training officer in the U. S. Employment Service, her dismissal "for wrong thoughts had nothing to do with protecting the security of the United States." He also believed that in the light of the questions asked of her at the hearing—e.g., "Did you ever write a letter to the Red Cross about the segregation of blood?"—her rights of free speech had been abridged. It is well-known, he urged, that some boards have a tendency to believe that unconventional views and conduct indicate disloyalty.[35]

An important aspect of the federal loyalty program, the listing of subversive organizations by the Attorney General, has now been fully litigated. In 1949 the Joint Anti-Fascist Refugee Committee sought an injunction to restrain the Attorney General from designating it as a subversive organization. The Committee had been given neither notice nor a hearing. It alleged that as a result of the Attorney General's action, it had suffered loss of reputation, contributions, and tax-exempt status, was hampered in obtaining supporters, and endured other economic injury. The District Court of the District of Columbia dismissed the complaint, and the Court of Appeals affirmed on the ground that the complaint did not present a justiciable controversy.[36] The following year the same court dismissed an action brought by the International Workers Order, a fraternal insurance order.[37] It alleged that as a result of the Attorney General's listing, it had lost certain tax exemptions, was subjected to harassment by state insurance departments, had lost many members, who cancelled their insurance and who were being subjected to accusations of disloyalty or had been discharged from employment. In a third case involving the National Council of American-Soviet Friendship, the Court of Appeals of the District of Columbia reached the same result in an unreported *per curiam* decision.

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[35] In a companion case, *Washington v. McGrath*, 182 F. 2nd 375 (App. D. C., 1950), involving the dismissal of 26 employees of the Post-Office Department, the Court of Appeals reached a similar conclusion, Judge Edgerton dissenting. Again the Supreme Court affirmed by a 4–4 vote, 341 U. S. 923 (1951). These decisions were foreshadowed by *Friedman v. Schwellenbach*, 65 F. Supp. 254 (D. C. 1946), where dismissal was had under a war emergency order. The Supreme Court denied certiorari, Justices Black and Douglas dissenting, 330 U. S. 838 (1947), rehearing denied, 331 U. S. 865 (1947).

The Supreme Court reversed these rulings on April 30, 1951, by a 5–3 vote.[38] Of the majority, only Justice Burton thought that the cases did not, for technical reasons, present constitutional issues ripe for decision. His opinion, therefore, was based on minimal grounds, and represents the only view upon which a majority of the Court were in agreement. Each of the other four Justices making up the majority filed an opinion of his own discussing constitutional questions. Justice Reed filed a dissenting opinion in which Chief Justice Vinson and Justice Minton concurred.

Justice Burton's opinion is an extraordinary example of the maxim that a judge ought to avoid ruling on constitutional questions if it is at all possible to do so. Briefly, he argued that since the complaints denied disloyalty and asserted the contrary, and since the Government won below on motions to dismiss, the allegations in the complaints must be taken as true. This being so, the Attorney-General's designations are patently arbitrary because they are contrary to the alleged and uncontroverted facts constituting the entire record before the Court. It follows that the listings are not warranted by the terms of the Executive Order, which does not confer arbitrary power and permits a listing only after an "appropriate determination."

All of the justices making up the majority agreed that the plaintiffs in these cases had standing to sue. Justice Burton thought that legitimate organizations have a common law right to be free from defamation, and that it was immaterial that no direct demands were made upon the petitioners; it was sufficient that past and impending serious damages were alleged. Justice Douglas refused to believe that this was merely a case of name-calling by public officials, but rather a determination of status. An organization publicly branded by the Attorney General as subversive "is maimed and crippled." The injury is "real, immediate, and incalculable." Justice Jackson was very impatient with the notion advanced by the dissenters that the Attorney General's designation was a mere press release without legal consequences. But he also argued that the organizations were really suing to vindicate the rights of individual members. He was dubious about the organizations' rights to relief.

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[36] *Joint Anti-Fascist Refugee Committee v. Clark,* 177 F. 2nd 79 (App. D. C. 1949). Judge Edgerton dissented.

[37] *International Workers Order v. McGrath,* 182 F. 2nd 368 (App. D. C. 1950). Judge Edgerton dissented.

[38] *Joint Anti-Fascist Refugee Committee v. McGrath,* 341 U. S. 123 (1951). Justice Clark did not participate.

All of the majority justices but Burton agreed that the procedure followed in arriving at the designations violated due process, a point discussed at great length by Justice Frankfurter. He noted that "designation has been made without notice, without disclosure of any reasons justifying it, without opportunity to meet the undisclosed evidence or suspicion on which designation may have been based, and without opportunity to establish affirmatively that the aims and acts of the organization are innocent." This is not consistent with the fairness which the due process concept and our democratic faith require. Justice Frankfurter also pointed out that nothing in the Executive Order requires the Attorney General to deny a hearing; on the contrary, the provision for "appropriate investigation and determining" does not preclude the essentials of due process. In addition, Justice Black took the position that even with a hearing, publication of the lists "smacks of a most evil type of censorship" contrary to the First Amendment, and that government blacklists "possess almost every quality of bills of attainder."

One suspects that Justice Douglas wrote his concurring opinion partly to say what an even division of the Court prevented him from saying in the *Bailey* case. He denounced condemnation without trial and the odious technique of guilt by association. He discussed the case of Dorothy Bailey in some detail. But he also insisted that procedural irregularities were not the only objections to the loyalty program. Government employees take an oath of loyalty, and Justice Douglas maintained that if they swear falsely they commit perjury and can be tried in court, where they would have all the protections of the Bill of Rights. He suggested that the transference of security risks from sensitive to non-sensitive areas, as is done in Great Britain, might be a proper solution for the problem.[39]

In his dissenting opinion, Justice Reed maintained that so far as free speech and due process objections are concerned, the designation, while it may be injurious to prestige, reputation and earning power, "does not prohibit any business of the organizations, subject them to any punishment or deprive them of liberty of speech or other freedom. . . . These petitioners are not ordered to do anything and are not punished for anything. Their position may be analogized to that of persons under grand jury investigation." To give these organizations entry into the investigation, he argued, "would amount to interference with the Executive's discretion, contrary to the ordinary operations of Government."

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[39] Eleanor Bontecou, "The English Policy as to Communists and Fascists in the Civil Service," *Columbia Law Review*, Vol. 51, pp. 564–586 (1951). See also Seth W. Richardson, "The Federal Employee Loyalty Program," *ibid.*, pp. 546–563.

Federal Protection of Civil Rights. The ever-thorny question of the scope of the federal power to protect the citizen against the invasion of basic civil rights,[40] which has been a bone of contention continuously since the adoption of the Fourteenth Amendment and the enactment of Civil Rights Acts in the Reconstruction period, was the subject of extensive litigation during the 1950 term. In *Tenney v. Brandhove*[41] the Court dismissed a suit for damages brought in the federal district court against the members of the California Senate Un-American Activities Committee[42] under sections of the Civil Rights Act of April 20, 1871, which permit such suits for deprivation of "any rights, privileges or immunities secured by the Constitution and laws" of the United States. After Brandhove had circulated petitions seeking to persuade the legislature not to vote further appropriations for the Tenney Committee, he was summoned to appear before the Committee at a hearing, but he refused to testify. Thereupon the chairman of the Committee read a statement charging that Brandhove had a criminal record. In his suit Brandhove alleged that the hearing was not held for a legislative purpose, but rather that it was designed to silence him and thus to prevent him from exercising rights of free speech and petition, equal protection, due process, etc. Without discussing any constitutional question, the Court held there was no cause of action, on the ground that Congress did not intend, by the general language of the 1871 statute, to overturn a tradition of legislative freedom or privilege deeply rooted in English and American history and constitutional law. The claim that a legislator has pursued an unworthy purpose does not destroy the privilege, which exists not so much, said Justice Frankfurter, for the private indulgence of the legislator, as for the common good, which is best served if there is freedom from the cost, inconvenience and distraction of damage suits. The investigatory power is an established part of representative government, he argued, and we must look to self-discipline and to the voters for protection against abuses. He agreed that courts may hold that a committee's investigation has exceeded the bounds of legislative power, but "it must be obvious that there was a usurpation of functions exclusively vested in the Judiciary or the Executive." Justice Douglas dissented alone.

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[40] See Henry Putzel, Jr., "Federal Civil Rights Enforcement: A Current Appraisal," *University of Pennsylvania Law Review,* Vol. 99, pp. 439–454 (1951); Comment, "The Civil Rights Act: Emergence of an Adequate Federal Civil Remedy?" *Indiana Law Journal,* Vol. 26, pp. 361–379 (1951); Comment, "Racial Violence and Civil Rights Law Enforcement," *University of Chicago Law Review,* Vol. 18, pp. 769–783 (1951). See the suggestive article by Philip Marcus, "Civil Rights and the Anti-Trust Laws," *ibid.,* pp. 171–217

[41] 341 U. S. 367 (1951).

[42] See E. A. Barrett, Jr., *The Tenney Committee* (Ithaca, 1951). On the general subject, consult Robert K. Carr, "The Un-American Activities Committee and the Courts," *Louisiana Law Review,* Vol. 11, pp. 282–326 (1951); Leon R. Yankwich, "The Immunity of Congressional Speech—Its Origin, Meaning and Scope," *University of Pennsylvania Law Review,* Vol. 99, pp. 960–977 (1951); and the symposium on congressional investigations in *University of Chicago Law Review,* Vol. 18, pp. 421–661 (1951).

Another damage suit, brought under the same Act, was dismissed in *Collins v. Hardyman.*[43] The petitioners alleged that the defendants conspired to break up a meeting called to protest against the Marshall Plan, and that by not conspiring to interfere with other meetings held in the locality at which the opposite view was advanced, the defendants had denied the equal protection of the laws and the enjoyment of equal privileges and immunities under the laws, made actionable by the statute. The complaint did not allege that the conspiracy involved any action by state officials or that the defendants even pretended to act under color of state law; nor was there any showing that what happened was due to any act or omission on the part of state authorities. In spite of the fact that the statute in question refers to acts of "two or more persons," without further qualification, the Court held that the statute must be read in the light of the now well-established rule that the Fourteenth Amendment erects no shield against merely private conduct, however discriminatory or wrongful. It is settled, said Justice Jackson, since the Reconstruction cases, that the Fourteenth Amendment was not intended "to centralize power so as to upset the federal system." Actually, the Court avoided discussion of great constitutional issues by holding that the complaint did not state a cause of action within the purview of the statute. Assuming that the facts pleaded show that the defendants did interfere with the exercise of a federal right, it must be shown that the conspiracy was for the purpose of *depriving* people of the equal protection of the laws, and here there was no allegation that the defendants were trying to influence the law or interfere with the execution of the laws. It is immaterial that they broke up one meeting and not others, for private discrimination is not inequality before the law unless there is some manipulation of the law or its agencies. It is true that in this case rights were lawlessly violated, but neither the petitioners' rights nor their equality of rights under the law have been, or were intended to be, denied or impaired. Finally, Justice Jackson made an important concession, when he argued that this decision does not mean that a conspiracy by private citizens could never work a denial of the equal protection of the laws. In fact, in the Reconstruction period the Klan, against which the statute was directed in the first place, probably had such power. But nothing of the sort happened here, where all that was involved was a "lawless political brawl" in California. Without ruling on the scope of the constitutional power of Congress, therefore, the Court merely held that Congress did not intend to include this conspiracy within the narrow class of conspiracies defined by this statute. Justice Burton, with whom Justices Black and Douglas agreed, dissented, arguing that no question about the scope of the Fourteenth Amendment was before the Court at all, since the right to petition the federal government for a redress of grievances is a First Amendment right. The dissenters could see no reason why Congress could not punish a conspiracy of private persons which had as its purpose the invasion of a federally-created constitutional right.

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[43] 341 U. S. 651 (1951).

The matter of protecting civil rights by means of federal criminal prosecution was also aired. In 1947 a Florida lumber company employed a detective agency to investigate thefts of its property. The inquiry was conducted by the head of the agency, Williams, who held a special police officer's card issued by the City of Miami and had taken an oath. He was assisted by two of his employees and a member of the Miami police force who was detailed to help. These four collaborators took several men to a shack on the premises, and by use of brutal third degree methods extracted "confessions." Williams was convicted of violating Section 20 of the Criminal Code,[44] which makes it a federal crime for any person acting "under color of any law" willfully to deprive any person of any rights or privileges guaranteed by the Constitution and laws of the United States. The trial judge's instructions conformed with the ruling of the Supreme Court in the *Screws* case.[45] By a 5–4 vote the conviction was affirmed.[46] In view of the fact that Williams was vested with a policeman's powers, a common practice and the policy of Miami, and in view of the further fact that a regular police officer was in attendance, the majority ruled that Williams was clearly acting "under color of law." The Court also held that the statute as applied here was not vague in the constitutional sense, following the reasoning in the *Screws* case. Justice Douglas, who spoke for the Court in the *Screws* case, said that some day there may be a doubtful case, but it was "as plain as a pikestaff" that this "classic use of force" to extort a confession was forbidden by the Due Process Clause, however that clause is read. Justice Black dissented without opinion, and Justices Frankfurter, Jackson and Minton dissented with a notation that they went along with the reasons set forth in the dissent in the *Screws* case.

The other defendants were acquitted under Section 20, and a mistrial was declared under Section 19 of the Criminal Code,[47] the jury being unable to agree on a verdict. Section 19 provides for punishment of those who conspire to deny any citizen his federal rights. A new indictment was then returned under Section 19, alleging a conspiracy to deny rights secured by the Fourteenth Amendment. This time all of the defendants were convicted, but the Court of Appeals reversed on the ground that in the conspiracy provision Congress had in mind only federal rights and privileges which belong to citizens of the United States as such, and not the general rights extended to all persons by the Fourteenth Amendment. By a 5–4 vote the Supreme Court affirmed, though the majority was divided in its reasoning.[48] Justice Black thought that the principle of *res judicata* should bar the government from trying the defendants on a second indictment for conspiracy in view of the scope of the first trial judge's instructions to the jury as to violation of the substantive section. The other four justices who made up the majority, speaking through Justice Frankfurter, held that Section 19 did not reach the conduct which constituted the offense in this prosecution. They did not deny the power of Congress to enforce every right guaranteed by the Due Process Clause of the Fourteenth Amendment through appropriate criminal legislation. But they also held that in the light of its history, Section 19 was designed to cover only conduct which interferes with rights arising from the substantive powers of the national government, and not from the Fourteenth Amendment. Justice Frankfurter maintained that the chief purpose of Section 19 originally was to protect the Negro's right to vote from interference by private individuals. A different section of the original Civil Rights Act of 1870 was concerned with the invasion of civil rights by state officials. It is established that the power of Congress, so far as private individuals is concerned, is limited to rights which arise from the relationship of the individual to his federal government, and these rights do not include those which the Constitution guarantees merely as against interference by a state, such as the right to a fair trial in state courts.

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[44] Now Section 242 of Title 18 of the newly-revised U. S. Code, and derived from Section 2 of the Civil Rights Act of April 9, 1866, and Sections 16 and 17 of the Enforcement Act of May 31, 1870. The present language dates from the adoption of the Criminal Code of 1909.

[45] *Screws v. United States*, 325 U. S. 91 (1945).

[46] *Williams v. United States* (No. 365), 341 U. S. 97 (1951).

[47] Now Section 241 of Title 18 of the newly-revised U. S. Code, and originally Section 6 of the Civil Rights Act of May 31, 1870.

[48] *United States v. Williams* (No. 26), 341 U. S. 70 (1951).

Justice Douglas, with whom Justices Reed, Burton and Clark concurred, filed a dissenting opinion in which he maintained that since there was no major difference in the words used, Sections 19 and 20 protect the same basic rights. He insisted that nothing in the legislative history suggested that the broad language of Section 19 was intended to secure federal rights only against invasion by private persons. The dissenters also felt that since the substantive crime of aiding and abetting had a broader application than conspiracy, there was no *res judicata* here. That is to say, the crimes are different, for the defendants may have conspired to do the act without actually aiding in its commission. It is apparent that Justice Black holds the decisive vote on the important civil rights issue posed by this case. Since it is hopeless to expect positive civil rights legislation in Congress so long as the present closure rule completely frustrates the Senate majority, it is an especially serious matter for the Court to read the few surviving federal civil rights statutes narrowly.

Double Jeopardy. A third *Williams* case[49] presented an interesting double jeopardy issue. While Williams was convicted at the first trial on the substantive charge, the other defendants were acquitted after testifying that they had not seen Williams abuse the prisoners. The jury disagreed as to the conspiracy charges, and upon a new indictment the defendants were convicted at a second trial; but on appeal the Court of Appeals quashed the conspiracy indictment, and as already noted, the Supreme Court affirmed. Following the action of the Court of Appeals, the defendants were charged with having committed perjury at the first trial. The District Court dismissed the indictment on the ground that it was double jeopardy for Williams, since he had been convicted at the first trial of the substantive offense, and *res judicata* for the other three, since they had been acquitted of the substantive charges. The alleged perjury was that they had testified falsely that they had not seen Williams beating the victims. The Supreme Court reversed, Justices Black and

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[49] *United States v. Williams* (No. 134), 341 U. S. 58 (1951).

Frankfurter dissenting without opinion. The Court ruled that the previous conviction of Williams for the substantive offense of beating the victims did not bar a later prosecution for perjury, which is obviously not the same offense. So, also, acquittal on the substantive charges was held not to constitute *res judicata* so far as the perjury indictment was concerned. An acquittal on the substantive charge of abusing a prisoner is not a determination that the defendants did not see Williams doing so.

Self-incrimination. The drive against Communism has required the Court to re-examine the constitutional privilege against self-incrimination.[60] The adoption of the Internal Security (McCarran) Act of 1950, with its elaborate provisions for registration and disclosure, will undoubtedly lead to further litigation on this subject.[61] During the 1950 term three cases reached the Supreme Court as the result of an investigation into Communist Party activities conducted by a federal grand jury in Denver, Colorado. In the case of *Patricia Blau*[52] the Court held unanimously that a witness could not be punished for refusing to answer such questions as whether she knew the names of the officers of the State Communist Party, or anything about its organization, or whether she was ever employed by it or ever had custody of its books and records or had ever given them to some particular person. Justice Black held that, since the Smith Act was on the statute books, future prosecution of the witness, if required to answer the questions, was more than a mere imaginary possibility. It is immaterial, he asserted, whether the admissions elicited would support a conviction; it is sufficient if the answers would furnish a link in the chain of evidence needed in a Smith Act prosecution. In the case of *Irving Blau*[53] the Court ruled that the witness could not be punished for refusing to disclose the whereabouts of his wife, who was wanted by the grand jury as a witness, on the ground that a confidential communication between husband and wife is privileged. The Court rejected the government's contention that Blau should have been denied the benefit of the privilege because he failed to prove that the information had been conveyed to him privately. Justice Black explained that the general rule is that marital communications are presumptively confidential, and that it is up to the government to overcome the presumption. Furthermore, under the circumstances, Justice Black thought that the communication from the wife to the husband was likely to be confidential, since she knew she was wanted. The husband's refusal to betray his wife's trust, Justice Black asserted, was both understandable and lawful. Justices Minton and Jackson dissented because they did not believe that the communication between husband and wife in this case was intended to be confidential. Further they argued that the general rule of evidence is competency, and incompetency being the exception, one must show that he falls within the reason for the exception, which in this instance is protection of marital confidence, and not merely of communications between spouses.

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[60] Note, "Self-Incrimination and Federal Anti-Communist Measures," *Columbia Law Review*, Vol. 51, pp. 206–219 (1951); W. L. McLaughlin and J. F. Mendoza, "Privilege against Self-Incrimination in Federal Courts: Problem of Communist Affiliation," *Notre Dame Lawyer*, Vol. 26, pp. 68–81 (1950); F. E. Inbau, *Self-Incrimination* (Illinois, 1950).

[61] Arthur E. Sutherland, Jr., "Freedom and Internal Security," *Harvard Law Review*, Vol. 64, pp. 383–416 (1951); B. D. Meltzer, "Required Records, the McCarran Act, and the Privilege against Self-Incrimination," *University of Chicago Law Review*, Vol. 18, pp. 687–728 (1951); Comment, "The McCarran Act—Detection or Defection?" *Illinois Law Review*, Vol. 46, pp. 274–291 (1951); Note, "The Internal Security Act of 1950," *Columbia Law Review*, Vol. 51, pp. 606–660 (1951).

[52] *Patricia Blau v. United States*, 340 U. S. 159 (1950).

[53] *Irving Blau v. United States*, 340 U. S. 332 (1951).

In a third case growing out of the Colorado investigation, *Rogers v. United States*,[54] the witness testified that she held the position of treasurer of the Communist Party of Denver until January, 1948, and that by virtue of her office had been in possession of the membership lists and dues records of the Party. She testified that she had turned the lists and records over to another person, but refused to identify that person, and as a result was held in contempt of court. In a 5-3 decision the Supreme Court affirmed. Chief Justice Vinson pointed out that the privilege against self-incrimination is purely personal and cannot be invoked to protect others from punishment, much less from interrogation by a grand jury. Furthermore, since the witness had voluntarily testified as to her status as an officer of the Communist Party, she is not thereafter free to select any stopping place in her testimony that she may choose. And in any event, the Chief Justice ruled that there is no privilege with respect to books and records kept in a representative capacity rather than in a personal one, even though the production of the papers might tend to incriminate the keeper of the papers personally.[55] Justices Frankfurter and Douglas concurred in Justice Black's dissenting opinion. He agreed that a constitutional right may be waived, but argued that waiver should never be inferred, if this important privilege is to remain effective, and that vague and uncertain evidence should never support a finding of waiver. He maintained that the Court's position that an admission of associations with the Communist Party waives the constitutional protection as to all related questions confronts the witness with an impossible dilemma: either to risk imprisonment by asserting the privilege prematurely, or to lose the privilege by answering a single question. "The Court's view," Justice Black asserted, "makes the protection depend on timing so refined that lawyers, let alone laymen, will have difficulty in knowing when to claim it." Finally, the dissenters thought that the question which the witness refused to answer did call for additional incriminating information which would have been relevant in any future prosecution for violation of the Smith Act.

The problem of how the judge is to decide whether a refusal to answer questions is justified without forcing a disclosure of incriminating evidence was considered in *Hoffman v. United States*.[56] Here the witness was convicted of criminal contempt for refusing to answer certain questions asked in the course of a grand jury inquiry into the violation of federal law in the Philadelphia area. He declined to tell the court what occupation he was engaged in and whether he had seen a certain person or knew where he was. Since the trial judge told the special grand jury that it was going to investigate all rackets, and all federal crimes, and since the trial judge had been informed by counsel that the witness had a long police record, the Supreme Court ruled that the general setting was enough to justify a refusal to answer questions possibly leading to dangerous disclosure. If the witness had to answer the questions in order to show that the answers would be incriminating, he would be surrendering the very protection which the privilege is designed to guarantee.

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[54] 340 U. S. 367 (1951).

[55] Citing as authority *United States v. White*, 322 U. S. 694 (1944).

[56] 341 U. S. 479 (1951).

Due Process and the Rule of Definiteness. The Immigration Act provides for the deportation of aliens sentenced more than once to imprisonment for one year or more because of conviction in this country "of any crime involving moral turpitude." A majority of six justices held that a crime in which fraud is an ingredient involves moral turpitude (the offense here was liquor tax fraud), and that the standard is not void for vagueness.[57] The term "moral turpitude" has deep roots in the law, the Chief Justice said, and is used in a wide variety of statutes. He also argued that it is now established that difficulty in determining marginal cases does not automatically render a statute unconstitutional for indefiniteness. "Impossible standards of specificity are not required." As is customary in such cases, the Chief Justice pointed to the fact that this phrase was no more vague than those used in many other statutes, for example, the Sherman Act. "The test," he said, "is whether the language conveys sufficiently definite warning as to the prescribed conduct when measured by common understanding and practices." Incidentally, the Court also ruled that though deportation is not a criminal proceeding, the void for vagueness doctrine is relevant because of the drastic nature of deportation. When the Court will drop the fiction that banishment from the country is not punishment is difficult to predict, but clearly the fiction is losing most of its potency.

Justice Jackson wrote a devastating dissenting opinion in which Justices Black and Frankfurter concurred. He insisted that the phrase does not have a settled significance. "If we go to the dictionaries, the last resort of the baffled judge," he wrote, "we learn little except that the expression is redundant, for turpitude alone means moral wickedness or depravity and moral turpitude seems to mean little more than morally immoral." And he complained that "except for the Court's opinion, there appears to be universal recognition that we have here an undefined and undefinable standard." There is strong support in the legislative history that the phrase was designed to reach only crimes of violence. Seriousness of the crime cannot be the test of turpitude, for all offenses must be regarded as serious, or law enforcement would be a frivolous enterprise. If the phrase means only felonies, it would have been simple and intelligible for Congress to say so. The distinction between crimes *mala prohibita* and *mala in se* will not do at all, since that distinction is in itself a controversial one. The test suggested by the government, "the moral standards that prevail in contemporary society," would merely invite guesswork. Justice Jackson even questioned the Court's argument that fraud imports turpitude into any offense. He noted that disregard of national liquor taxes does not seem to exclude a citizen from our best society, and he could not see why it should banish an alien from our worst. With almost prophetic insight (this opinion was filed in May, 1951), he pointed out that cheating on the revenues is pretty widespread in this country. The dissenters did not question the power of Congress to define deportable conduct, but they didn't believe that administrative officers and judges should decree deportation until Congress has written an intelligible definition.

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[57] *Jordan v. De George*, 341 U. S. 223 (1951).

Just Compensation. In *United States v. Pewee Coal Co.*[58] a 5–4 decision affirmed a judgment of the Court of Claims as to the measure of just compensation in a case arising out of the government seizure of the coal mines in 1943. All nine justices agreed that the seizure of the mines was not a mere sham or pretense, and that there had therefore been a "taking" in the constitutional sense. But only five justices agreed that a company was entitled to reimbursement for losses attributable mainly to increased wage payments made in compliance with a decision of the War Labor Board. In a separate concurring opinion Justice Reed maintained that the government was not bound to pay all operating losses during its period of control, but emphasized that this was a temporary taking, with actual operations left in the hands of the owners. Under such circumstances the government should be responsible only for those losses incurred by governmental acts, and he argued that the extra pay was allowed as a result of a Board order that had no legal sanction behind it, and hence the government obligation to pay. The four dissenters maintained that nothing of value had been taken from the company by the government and that the Court of Claims had not found that the company could have operated the mine without making the wage concessions directed by the Board.

The Court also had occasion to reaffirm, in a brief *per curiam* opinion, the "traditional rule" that interest on claims against the United States cannot be recovered where recovery was not grounded on a taking under the Fifth Amendment and where the relevant statute did not expressly authorize an award of interest.[59]

2. THE FEDERAL TAXING POWER

A unanimous Court sustained the constitutionality of the Marihuana Tax Act in *United States v. Sanchez.*[60] The statute imposes license taxes and the obligation to register upon all who import, produce or sell marihuana. No transfer of marihuana may be made except in pursuance of a written order of the transferee on a blank issued by the Secretary of the Treasury. It also levies a tax of $1.00 per ounce upon those who have paid the tax and registered, or $100 upon those who have not. Obviously this tax was not adopted by Congress as a budget-balancing expedient. "It is beyond serious question," Justice Clark wrote, "that a tax does not cease to be valid merely because it regulates, discourages, or even definitely deters the activities taxed." This was, of course, the teaching of the firearms case.[61] And he added that "the principle applies even though the revenue obtained is obviously negligible, . . . or the revenue purpose of the tax may be secondary. . . . " It is also established that a tax statute does not necessarily fall "because it touches on activities which Congress might not otherwise regulate." The difference between the two tax rates was found to have a "rational foundation." The higher rate will induce compliance and help to reimburse the government for the greater expenses involved in unearthing clandestine transfers. Thus it is that the fighting issues of one generation become the truisms of the next.[62]

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[58] 341 U. S. 114 (1951). See Note, "Recent Constitutional Developments on Eminent Domain," *Vanderbilt Law Review,* Vol. 4, pp. 673–680 (1951).

[59] *United States v. Tillamooks,* 341 U. S. 48 (1951).

[60] 340 U. S. 42 (1950).

3. THE COMMERCE POWER

There were several important commerce cases during the 1950 term, but since they involved primarily questions of statutory construction, and only indirectly questions concerning the thrust of the federal commerce power in a constitutional sense, they will be treated very briefly in this review. In *Kiefer-Stewart Co. v. Seagram*,[63] the Court held that the Sherman Act forbids an agreement among competitors to fix *maximum* as well as minimum resale prices, since any kind of price-fixing tends to cripple the freedom of traders. *Timken Co. v. United States* [64] decided that the Sherman Act forbids price-fixing, allocation of markets, and control of imports and exports by agreement between an American firm and two foreign companies in which it has an interest.[65] In both of these cases the Court ruled that the fact that there was common ownership or control of the contracting corporations did not exempt them from the anti-trust laws. In another price discrimination case, *Standard Oil Co. v. Federal Trade Commission*,[66] with three justices dissenting, the Court held that the sale of gasoline to jobbers doing some retail business in the Detroit area at a lower price than that charged to retail stations did not violate the Robinson-Patman Act of 1936. The reason given was that this practice came within the scope and purpose of a proviso in the Act permitting discriminatory prices where made in good faith to meet an equally low price of a competitor.

In 1946, the Court found that a particular interstate pipeline wholly owned by and used only by the Champlin Refining Company, was a "common carrier" within the meaning of Section 1 of the Interstate Commerce Act, and therefore subject to Section 19a of the Act, requiring the company to submit valuation data, maps, charts and other documents relating to its operations.[67] In 1951, and without overruling the earlier decision, the Court held that Section 6 of the Interstate Commerce Act, pertaining to the publication and filing of schedules of rates and charges, did not apply to this company, largely because it believed that Congress did not intend to impose the duty of serving the public at regulated rates upon all private pipe lines merely because they cross state lines.[68]

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[61] *Sonzinsky v. United States*, 300 U. S. 506 (1937).

[62] Compare, for example, the debate in *United States v. Constantine*, 296 U. S. 287 (1935).

[63] 340 U. S. 211 (1951). See Comment, "Resale Price Maintenance and the Anti-Trust Laws," *University of Chicago Law Review*, Vol. 18, pp. 369–380 (1951).

[64] 341 U. S. 593 (1951).

[65] Justices Frankfurter and Jackson filed dissenting opinions, both arguing that the conditions of foreign trade are such that the restraints which were the basis of the complaint were reasonable. Under contemporary political conditions, they thought that many American industries could reach foreign markets only by organizing foreign subsidiaries, each limited to a particular market area.

[66] 340 U. S. 231 (1951).

[67] *Champlin Refining Co. v. United States*, 329 U. S. 29 (1946).

In several cases, the Court ruled that a strike against a contractor to force a nonunion subcontractor off the job is a secondary boycott within the prohibitions of the Taft-Hartley Law.[69] The Court had little difficulty in reaching the conclusion that the subcontractor was engaged in interstate commerce, on a showing that he purchased some of his materials outside the state and shipped some products out of the state. This conclusion was not clouded by the small volume of commerce involved, since Congress did not intend to make the operation of the Act depend upon the volume of commerce affected, and furthermore, the Board may take into consideration the total effect of many other comparable situations. But an isolated incident where a truck-driver employee of a customer was induced not to cross a picket line does not add up to that concerted action to force customers to boycott which alone is proscribed by the Labor Act as an unfair labor practice.[70]

4. THE FEDERAL PATENT POWER

In holding a simple counter rack or three-sided frame to be non-patentable for lack of invention, Justice Jackson wrote an interesting essay on the subject of patents.[71] An accumulation of old and known devices is patentable "only where the whole in some way exceeds the sum of its parts . . . ." It must add something to the total stock of knowledge. That the gadget was a good idea or that it enjoyed commercial success was not sufficient to render it patentable. In a concurring opinion, Justice Douglas emphasized that, unlike most powers, the constitutional grant of the patent power is qualified by the purpose "to promote the Progress of Science and useful Arts." And he remarked: "The

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[68] *United States v. Champlin Refining Co.*, 341 U. S. 290 (1951). Dissenting with great vehemence, Justice Black asserted that this decision "rides roughshod over clear statutory language," overrules previous adjudications, and frustrates the purpose of the Hepburn Act. Although the majority decision avoided constitutional questions altogether, Justice Black thought that this nullification of the Hepburn Act was possibly due to "an unarticulated belief" that it is unconstitutional. He had no doubt of the the power of Congress to convert a private interstate carrier into a public carrier, and thought the matter had been settled in the *Pipe Line Cases*, 234 U. S. 548 (1914).

[69] *N.L.R.B. v. Denver Building and Construction Trades Council*, 341 U. S. 675 (1951); *International Brotherhood of Electrical Workers v. N.L.R.B.*, 341 U. S. 694 (1951); *Local 74, United Brotherhood of Carpenters & Joiners v. N.L.R.B.*, 341 U. S. 707 (1951). In all three cases, Justices Jackson, Douglas and Reed dissented on the theory that there was in each instance a legitimate strike for legitimate reasons, and that the right to strike cannot be made to depend upon fortuitous business arrangements that have no significance so far as the evils of the secondary boycott are concerned. On the general subject, see C. O. Gregory, "Constitutional Limitations on the Regulation of Union and Employer Conduct," *Michigan Law Review*, Vol. 49, pp. 191–212 (1950).

[70] *N.L.R.B. v. International Rice Milling Co.*, 341 U. S. 665 (1951).

[71] *Great Atlantic & Pacific Co. v. Supermarket Equipment Corp.*, 340 U. S. 147 (1950).

Patent Office, like most administrative agencies, has looked with favor on the opportunity which the exercise of discretion affords to expand its own jurisdiction. And so it has placed a host of gadgets under the armour of patents-gadgets that obviously have had no place in the constitutional scheme of advancing scientific knowledge." He then proceeded to give a long list of examples which is hilariously funny, e.g., elastic gussets in corsets, rubber hand grips on bicycle handlebars, oval toilet paper rolls, etc.

5. FEDERAL JUDICIAL POWER

Review of Courts-Martial by Habeas Corpus. A unanimous Court held, in *Gusik v. Schilder,*[72] that while a federal court may order the release of a prisoner who had been convicted by a court-martial, through the writ of habeas corpus, if the military court had lacked jurisdiction, it may not do so until all remedies afforded by the Articles of War have first been exhausted. Since Congress in 1948 inserted into the Articles of War a new provision (Article 53) giving the Judge Advocate General discretion to grant a new trial in any court-martial case, this remedy must be sought before going to court. The statement in Article 53 that all action of the Judge Advocate General shall be "final and conclusive," and "binding upon all departments, courts, agencies, and officers of the United States," was interpreted as not depriving courts of jurisdiction to review military judgments, and therefore, as not amounting to a suspension of the writ. Any intention of depriving the civil courts of a habeas corpus jurisdiction which has been exercised throughout our history would have to be stated in "plain and unmistakable" terms, and not left to inference. At the same time, the Court ruled that so long as court-martial procedure gives a defendant an opportunity to tender the issue, any error by the military in evaluating the evidence on the question of insanity does not go to the question of jurisdiction, and therefore is not subject to review by a civil court in a habeas corpus proceeding.[73] Nor does the fact that the court-martial was composed wholly of officers—this trial occurred before the revision of Article 4 of the Articles of War—raise a jurisdictional question; the Constitution does not qualify the power of Congress to control the makeup of such courts and there is no analogy with the Sixth Amendment's guarantee of jury trial in civil courts.

Diversity Jurisdiction. In a rather extraordinary burst of enthusiasm for federal-state comity, the Court went far beyond the requirements of both decisional and statute law to inhibit the diversity of citizenship jurisdiction of the federal district courts in *Alabama Public Service Commission v. Southern Railway Co.*[74] The railroad, operating throughout the South, maintains intrastate service in Alabama and is governed by a statute forbidding abandonment of any portion of its service to the public without the permission of the Public Service Commission. The railroad asked the Commission to be allowed to discontinue service on two trains, and after a hearing, was refused. Then, instead of pursuing its statutory right of appeal to the state courts, the railroad filed a complaint in the federal district court, alleging diversity and violation of the Fourteenth Amendment, and asking for injunctive relief. A three-judge court heard evidence *de novo*, made its own findings of fact, and granted an injunction. The Supreme Court reversed. There being no question about the constitutionality of the regulatory statute,[75] Chief Justice Vinson ruled that since this was a request for equitable relief, it did not follow from the fact that the district court had jurisdiction that it must exercise it. He noted that under Alabama law an appeal could be taken from the Commission to a state circuit court as a matter of right, with further appeal to the state supreme court. A recent Alabama decision also holds that when a denial of due process is asserted, judicial review calls for an independent judgment as to both law and facts.[76] The fact that review in the Alabama courts was limited to the record taken before the Commission was held to present no constitutional infirmity.[77] The Chief Justice asserted that "it is now settled that a utility has no right to relitigate factual questions on the ground that constitutional rights are involved."[78] Thus, since adequate state review of an administrative order based upon predominantly local factors is available, it is not necessary for a federal court to intervene for the protection of federal rights. The granting of equitable relief is discretionary, and the federal equity judge must respect "the rightful independence of state government" at all times.

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[72] 340 U. S. 128 (1950). See S. W. Wurfel, "Military Habeas Corpus," *Michigan Law Review*, Vol. 49, pp. 493–528, 699–722 (1951); Comment, "Military Justice and the Constitution—Improvements Offered by the New Uniform Code of Military Justice," *Texas Law Review*, Vol. 29, pp. 651–671 (1951).

[73] *Whelchel v. McDonald*, 340 U. S. 122 (1950).

[74] 341 U. S. 341 (1951).

Justice Frankfurter filed a concurring opinion in which he agreed that the district court should have dismissed the request for equity because no substantial claim under the federal Constitution was made. Confiscation does not necessarily follow from the fact that a particular railroad service is unprofitable. But he protested that the Court's opinion overturns a long course of decisions and in effect repeals the act of Congress which since 1875 has defined the jurisdiction of the federal courts in federal question cases. Under this legislation a plaintiff has a choice of courts; whether it is wiser to insist that he must go through the state courts first is a matter of policy for Congress to decide. It has never been a doctrine of equity, he asserted, that a federal court is obliged to exercise its discretion to dismiss a suit merely because a state court could entertain it. " . . . If this decision means anything," Justice Frankfurter declared, "beyond disposing of this particular litigation it means that hereafter no federal court should entertain a suit against any action of a State agency."

Removal. In *American Fire & Casualty Co. v. Finn,*[79] the Court ruled that a defendant is not estopped from challenging the judgment of a federal district court on jurisdictional grounds merely because he had initiated the removal. Federal jurisdiction, it was pointed out, must not be wrongfully extended by judicial interpretation or prior action of the parties. Three justices dissented on the ground that since the company had asked for and obtained the removal of the case to the federal district court in the first place, it should, after losing its case in that court, be estopped from having it remanded to a state court.

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[75] It was upheld in *St. Louis-San Francisco R. Co. v. Alabama Public Service Commission,* 279 U. S. 560 (1929).

[76] *Alabama Public Service Commission v. Southern Bell T. & T. Co.,* 253 Ala. 1, 42 So. 2d 655 (1949).

[77] The Court cited *Washington ex rel. Oregon R. & N. Co. v. Fairchild,* 224 U. S. 510 (1912).

[78] Citing *New York v. United States,* 331 U. S. 284, 334–6 (1947), and *Railroad Commission of Texas v. Rowan & Nichols Oil Co.,* 311 U. S. 570, 576 (1941).

[79] 341 U. S. 6 (1951).

Judicial Review of Administrative Decisions. An extremely important aspect of the perennial question of the scope of judicial review of administrative decisions was litigated in *Universal Camera Corp. v. N.L.R.B.*[80] The immediate issue was the validity of an order of the Labor Board directing an employer to reinstate with back pay an employee found to have been discharged discriminatorily. The legal issue was whether the scope of the reviewing power of the courts previously exercised under the Wagner Act was changed by the Administrative Procedure Act of 1946 and the Taft-Hartley Act. The Second Court of Appeals, from which this appeal was taken, had ruled, as had five other Courts of Appeals, that no material change in the reviewing power had been made. The Wagner Act provided: "The findings of the Board as to the facts, if supported by evidence, shall be conclusive." The Supreme Court had interpreted the term "evidence" to mean "substantial evidence." Speaking for the Court, Justice Frankfurter held that the "substantial evidence" rule was no longer the measure of judicial review of the decisions of the Labor Board. He pointed out that the Walter-Logan Bill, which President Roosevelt vetoed in 1940, also had the "substantial evidence" rule, and that a majority of the members of the Attorney General's Committee on Administrative Procedure, which reported in 1941, favored retaining the rule, although three dissenting members recommended a broader review "upon the whole record." He also called attention to the fact that Section 10(e) of the Administrative Procedure Act of 1946 provides for review based upon "substantial evidence," but stipulates that "the court shall review the whole record." The Committee reports also indicate that Congress was dissatisfied with the restricted review previously available. The original draft of Taft-Hartley included merely the "substantial evidence" rule, but was changed to read, "substantial evidence on the record considered as a whole." The Senate Report stated that the purpose was to conform with the corresponding section of the Administrative Procedure Act. Justice Frankfurter therefore concluded that reviewing courts must not determine the substantiality of evidence supporting a Labor Board decision merely on the basis of evidence which in and of itself justified it, without taking into account contradictory evidence from which conflicting inferences could be drawn. "The substantiality of evidence must take into account whatever in the record fairly detracts from its weight." But this does not mean, he admonished, that weight should not be given to the experience and expertness of a specialized administrative body. The point remains, however, that courts must now assume more responsibility for the reasonableness of Board decisions than they had in the past, by viewing the record as a whole, and not merely the evidence supporting the Board's position.

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[80] 340 U. S. 474 (1951). See L. L. Jaffe, "Judicial Review: 'Substantial Evidence on the Whole Record'," *Harvard Law Review*, Vol. 64, pp. 1233–1261 (1951).

More specifically, in this case the Court of Appeals had held that it was barred from taking into account the report of the examiner on questions of fact insofar as that report was rejected by the Board. This was a mistake, Justice Frankfurter ruled. He called attention to Section 8(b) of the Administrative Procedure Act which states that "all decisions (including initial, recommended, or tentative decisions) shall become a part of the record," and that Taft-Hartley provides for review "on the record considered as a whole." Surely the examiner's report is a part of the record. Indeed, the legislative history of Taft-Hartley shows that one of its important purposes was to enhance the status and function of the trial examiner, and the Administrative Procedure Act had the same purpose. He also noted that an experienced examiner has observed the witnesses and lived with the case, and has therefore reached conclusions which are entitled to be considered.

In a companion case[81] the Court held that the normal and primary responsibility for reviewing orders of the Labor Board belongs to the Courts of Appeals, and that where the issue is the substantiality of evidence, the Supreme Court will not make an independent review of the review of the Court of Appeals, even though the Supreme Court might find on looking into the matter that the record tilts the other way.

A decision of the Labor Board that the CIO was not a "national or international labor organization" within the meaning of the non-Communist affidavit section of the Taft-Hartley Act was set aside by the Supreme Court.[82] The Court held that "certainly in the speech of the people" the CIO was a national union, whatever its internal composition, and that this interpretation was within the purpose of Congress, which was wholly to detach Communists and other believers in the unconstitutional overthrow of government from positions of leadership in the American labor movement. The Court also ruled that this was not a question of fact, but an issue of law subject to review. Justices Frankfurter and Douglas dissented on the ground that the special meaning of technical terms should be left up to the expert administrative body to which Congress had entrusted the enforcement of the law. "The Taft-Hartley Act," said Justice Frankfurter, "is not an abstract document to be construed with only the aid of a standard dictionary." Both felt that the customs and practices prevailing in the field of industrial relations should be the guide to the meaning of terms having technical connotations.

On the other hand, in upholding the much-discussed order of the Federal Communications Commission which accepted the color television system proposed by the Columbia Broadcasting System and in effect rejected all others, the Court deferred to the special knowledge of an experienced agency which had heard evidence on all sides.[83] It was quite true, said Justice Black, that the choice made by the Commission was not free from difficulties, "but courts should not overrule an administrative decision merely because they disagree with its wisdom." Justice Frankfurter filed a separate decision labelled "dubitante." He was not convinced that the public interest would be best served by the Commission's decision, and maintained that the Court was not incapable of considering complex scientific matters. He thought that when it comes to guessing about the future of scientific research in this field the Federal Communications Commission has no special expertness.[84]

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[81] *N.L.R.B. v. Pittsburgh Steamship Co.*, 340 U. S. 498 (1951).

[82] *N.L.R.B. v. Highland Park Manufacturing Co.*, 341 U.S. 322 (1951). See W. L. Daykin, "The Operation of the Taft-Hartley Act's Non-Communist Provisions," *Iowa Law Review*, Vol. 36, pp. 607–628 (1951).

Declaratory Judgments. A Danish citizen who entered the United States in August, 1939, as a temporary visitor, was unable to return to Denmark because of the war. Successive extensions of stay were granted, but eventually he had to secure employment, in violation of his visitor's status. On this ground the process of deportation was begun in May, 1940, stayed for the duration of the war, and reopened in 1946. Thereupon he filed an application with the Attorney General for a suspension of deportation, under Section 19(c) of the Immigration Act of 1917, which permits suspension when deportation would result in serious economic detriment to the U. S. citizen wife of an alien who is not ineligible for naturalization. The Attorney General denied this request solely for the reason that the alien was ineligible for citizenship because he had filed with his draft board, in 1942, an application for relief from military service under Section 3(a) of the Selective Service Act. This Act applied to all aliens "residing" in the country, and provided that an alien applying for exemption shall thereafter be debarred from becoming a citizen. The Immigration Act also provides that if the Attorney General suspends a deportation for more than six months, he must report all the facts to Congress, and if Congress does not by concurrent resolution at the session to which the report is made, or before the end of the following session, approve the suspension of deportation, then the Attorney General shall deport. The alien, not then in custody, sought a declaratory judgment to the effect that the Attorney General must decide his case on the assumption that he is eligible for naturalization, his argument being that he was not residing in the United States when he applied for exemption from the draft. On the merits, the Court found that the alien was not "residing" within the United States, since residence within the meaning of the draft law involves an element of choice not present in this instance.[85] The more interesting question was whether the case presented a justiciable question under Article III of the Constitution. The government argued that the suspension of deportation by the Attorney General was merely a recommendation to Congress. But the Court ruled that the Attorney General's power to defer deportation has the quality of a final order, even though other forces may come into play later; whatever Congress may decide to do, the delay is effective, and this litigation is aimed only at the delay. The Court also held that the declaratory judgment was permissible here, this being a suit to declare status, and all administrative remedies having been exhausted.[86] Justice Reed asserted: "This is an actual controversy between the alien and immigration officials over the legal right of the alien to be considered for suspension."[87]

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[83] *Radio Corporation of America v. United States*, 341 U. S. 412 (1951). See Comment, " 'Public Interest' and the Market in Color Television Regulation," *University of Chicago Law Review*, Vol. 18, pp. 802–816 (1951).

[84] In *Moser v. United States*, 341 U. S. 41 (1951), the Court approved of an administrative interpretation of the Selective Service Act of 1940, in relation to future eligibility for naturalization, in an opinion which came perilously close to condoning the doctrine that executive agencies have a dispensing power, so roundly condemned in the Declaration of Independence.

[85] *McGrath v. Kristensen*, 340 U. S. 162 (1950).

Suability of the United States. In *Feres v. United States*[88] a unanimous Court held that soldiers cannot sue the United States under the Federal Tort Claims Act for damages arising from negligent acts occurring during their service. For one thing, the statute provides that the United States shall be liable "in the same manner and to the same extent as a private individual under like circumstances," and there is no liability of a private individual even remotely analogous to that which is asserted against the government. No American law has ever permitted a soldier to recover for negligence either against his superior officer or the government he is serving, and furthermore, no private individual has power to conscript soldiers or mobilize a private army. Finally, the statute provides that where there is liability, it shall be determined according to "the law of the place where the act or omission occurred." Since a soldier on active duty has no choice as to where he will serve, it would follow that the geography of the injury would select the law to be applied, and this, said Justice Jackson, makes no sense. He also noted that the fact cannot be ignored that most states have abolished the common law action for damages between employers and employees and substituted for it workmen's compensation. It is irrational to suppose, Justice Jackson ruled, that Congress intended to premise the liability asserted here upon state laws which fluctuate so widely in both value and existence. The relationship between the government and the members of the armed forces is distinctively federal in character, he asserted, and no federal law recognizes a right to recover such as the claimants asserted in this case. This decision is supported by the fact that Congress has provided simple, certain and uniform compensation for injuries or death of those in the armed services. This special compensation system normally requires no litigation and is "not negligible or niggardly."

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[86] On the procedural point the Court leaned heavily on *Perkins v. Elg*, 307 U. S. 325 (1939).

[87] Justice Jackson wrote a separate concurring statement because he had taken a contrary position in 1940, when he was serving as Attorney General and delivered an opinion on the same question for the Secretary of War. He characterized his earlier opinion, with becoming candor, as being "as foggy as the statute the Attorney General was asked to interpret." And he gave away a trade secret when he remarked of his 1940 opinion that "it would be charitable to assume that neither the nominal addressee or the nominal author of opinion read it. . . ." He said that he had changed his mind, and cited instances where Taney, Story and Baron Bramwell had as judges taken positions at variance with views held previously as lawyers.

[88] 340 U. S. 135 (1950).

Several passengers riding in a taxicab in Philadelphia were injured by a collision between the cab and a U. S. mail truck. Claiming diversity, they sued the cab company in a federal district court, and by leave of court the company impleaded the United States as a third-party defendant. The Supreme Court held that this was permissible under the Tort Claims Act.[89] First, the government has consented to be sued for contribution, since the Act waives the government's immunity from suit in sweeping language which embraces "any claim" against the United States "on account of personal injury." Since one of the great purposes of the Act was to give Congress more time to devote to major public issues, and since the general trend is in the direction of reducing the area of governmental immunity from suit, it would be inconsistent to whittle down the scope of the statute by refinements. Furthermore, the Court held that the government has consented to be impleaded as a third-party defendant in an action for contribution due to a joint tort-feasor. The Act does not say that the government is suable only in a separate action, and there is no good reason for framing such a rule. On the contrary, the Act expressly makes the Federal Rules of Civil Procedure applicable, and Rule 14 provides for third-party practice. Most important of all, the Court ruled that the Tort Claims Act should not be strictly construed, since the exemption of the sovereign from suit creates hardship enough, and the Court should not add to it by strict construction. This is another step in a recent development[90] away from the older rule that waiver statutes should be strictly construed in favor of the government.[91]

II. QUESTIONS OF STATE POWER

1. DUE PROCESS OF LAW

Freedom of Speech. The Supreme Court decided during the 1950 term several widely discussed cases dealing with local control of speech in public places.[92] The sharpest division of the Court was in *Feiner v. New York.*[93] Feiner, a university student, addressed an open-air meeting at a street corner in Syracuse, for the purpose of publicizing a meeting of the Young Progressives of America.

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[89] *United States v. Yellow Cab Co.*, 340 U. S. 543 (1951). Justices Black and Douglas dissented without opinion.

[90] See *United States v. Aetna Casualty & Surety Co.*, 338 U. S. 366 (1949).

[91] For example, *United States v. Sherwood*, 312 U. S. 584 (1941).

[92] See L. Saulson, "Municipal Control of Public Streets and Parks as Affecting Freedom of Speech and Assembly," *Michigan Law Review*, Vol. 49, pp. 1185–1199 (1951); Note, "Free Speech and the Hostile Audience," *New York University Law Review*, Vol. 26, pp. 489–505 (1951); Comment, "Municipal Regulation of Free Speech in the Streets and Parks," *Illinois Law Review*, Vol. 46, pp. 489–497 (1951); Note, "Freedom of Speech v. Breach of the Peace," *St. John's Law Review*, Vol. 25, pp. 295–305 (1951). There is an interesting debate on this subject in N. Dembitz, "Free Speech vs. Free-for-All," *Nation*, Vol. 173, pp. 29–31 (July 14, 1951), and V. Countryman, "Freedom for Insulting Speech—a Reply," *ibid.*, pp. 50–52 (July 21, 1951).

[93] 340 U. S. 315 (1951).

He spoke to some 75–80 people, standing on a large wooden box on the sidewalk and addressing the crowd through a loud-speaker attached to an automobile. Both negro and white people were in the audience. It was alleged that he made derogatory remarks about the President, the American Legion, the Mayor of Syracuse and other local officials. In addition it was alleged, though this was disputed, that he urged Negroes to rise up in arms and fight for equal rights. Apparently he stirred up a little excitement. The police interfered when one onlooker threatened violence if the police did not interfere. The police demanded twice that he stop speaking, and when he refused he was arrested and convicted of disorderly conduct in the local Court of Special Sessions. Six Justices, for whom Chief Justice Vinson spoke, held that this was not a case of "blind condonation by a state court of arbitrary police action." The Chief Justice emphasized that Feiner had had a full, fair trial, in which the judge heard testimony on both sides, plus review in two state appellate courts. Thus the exercise of the police officer's proper discretionary power to prevent a breach of the peace was approved by three courts. They were convinced that the arrest had been made solely to preserve order and protect the general welfare, and not to suppress the airing of opinions. The Chief Justice pointed out that Feiner had been arrested not for making a speech, or because of its content, but rather because of the reaction which it actually engendered. This Court, he said, must respect the interest of the community in maintaining peace and order on its streets. Justices Douglas, Minton and Black dissented. Justice Black asserted that this conviction "makes a mockery of the free speech guarantees." The end result of this decision, he maintained, is "to approve a simple and readily available technique by which cities and states can with impunity subject all speeches, political or otherwise, on streets and elsewhere, to the supervision and censorship of the local police. I will have no part or parcel in this holding which I view as a long step toward totalitarian authority." He thought the record did not support the charge that there had been any imminent threat of riot or uncontrollable disorder, but he argued that even if a critical situation had existed, then the police had an obligation to protect the constitutional right to talk, even to the point of arresting the man who threatened to interfere. It is true that the appellant continued talking after the police ordered him to stop, but he pointed out that a man making a lawful address is certainly not required to be silent merely because a policeman so directs.

That the right to hold meetings in public places cannot be made to depend upon the undefined and unrestrained discretion of administrative officials was underscored by the Supreme Court in two cases. In *Niemotko v. Maryland*[94] a unanimous Court reversed a conviction under the Maryland disorderly conduct statute of two Jehovah Witnesses who had been arrested for attempting to give a Bible talk in a public park in Havre de Grace after being denied permission to do so by the Park Commissioner. While there was no ordinance prohibiting or regulating the use of the park, there was an amorphous local custom which required organizations and individuals to obtain permits from the Commissioner, subject to appeal to the City Council. In this case there was no evidence of disorder or of threats of violence or riot, nor was there any suggestion that the defendants had conducted themselves in any manner detrimental to the public peace. The Court held that the permit requirement, "in the absence of narrowly drawn, reasonable and definite standards for the officials to follow," constituted an unconstitutional prior restraint on freedom of speech. Free speech cannot be made subservient to the "limitless discretion" of an administrative official. In addition, the Court was convinced that the refusal of the permit in this instance was clearly an unwarranted discrimination, since the record failed to show any valid basis for the refusal; apparently the City Council, to which an appeal had been taken, denied the permit because it didn't approve of Jehovah Witnesses. Said Chief Justice Vinson: "The right of equal protection of the laws, in the exercise of those freedoms of speech and religion protected by the First and Fourteenth Amendments, has a firmer foundation than the whims or personal opinions of a local governing body."

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[94] 340 U. S. 268 (1951).

In *Kunz v. New York*[95] the Court set aside a conviction of a Baptist minister for holding a religious meeting in a public square without first obtaining a permit from the police commissioner as required by a municipal ordinance. The minister had received a permit for 1946, but in November of that year, after a hearing, it was revoked by the police commissioner on the ground that he had ridiculed and denounced other religious beliefs at his meetings. The ordinance, however, made no mention of revocation, and the defendant had not attempted to seek either judicial or administrative review of the revocation proceedings. In both 1947 and 1948 he applied for permits, but was refused each time without any reason being given. When he was arrested for speaking without a permit in 1948, an appeal was taken to the New York courts, which justified the disapproval of the 1948 permit application on the ground that a previous permit had been revoked "for good reasons." The Court noted that as interpreted by the state courts, the ordinance gave an administrative official an undefined discretion in denying applications, and that this is clearly invalid as an unconstitutional prior restraint on free speech. The Court was unimpressed by the fact that Kunz's religious meetings in the past had caused some disorder, taking the view that "there are appropriate public remedies to protect the peace and order of the community if appellant's speeches should result in disorder or violence." The issue here was not punishment but rather suppression. Justice Jackson dissented alone in a long and vehement opinion in which he took the position that the case was governed by the "fighting" words doctrine, since the speeches in question made scurrilous attacks upon religious groups.

Loyalty Oaths. In a one-paragraph *per curiam* opinion a unanimous Court upheld the constitutionality of a section of Maryland's Ober Act which requires candidates for public office to sign an oath declaring they are not engaged in one way or another in attempting to overthrow the government and that they are not knowingly members of any organization which is engaged in such an enterprise.[96] The Court emphasized, however, that its decision was premised on the assumption that what was proscribed was the overthrow of government by force or violence, and on this point it accepted the assurance given by the Maryland Attorney General that an affidavit in such terms would satisfy the statutory requirement.

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[95] 340 U. S. 290 (1951).

The litigation involving the Los Angeles loyalty oath, however, raised a variety of constitutional questions and was resolved by a badly divided court.[97] The city adopted an ordinance in 1948, pursuant to a 1941 statutory amendment to the charter, requiring every public employee to take an oath swearing that he does not and has not for the five preceding years advised, advocated or taught the overthrow of government by force, violence or other unlawful means, that he is not and has not been a member of any organization or party which advocates such subversive activity, and that he will not engage in such proscribed activities while in the public employ. In addition to the oath every city employee must execute an affidavit disclosing present and past membership in the Communist Party.

Five justices, speaking through Justice Clark, upheld both the oath and the affidavit. Justices Frankfurter and Burton, in separate opinions, took the position that the affidavit section was valid, but that the oath was bad. Justices Black and Douglas argued in their dissenting opinions that both violated the Constitution. As to the affidavit, then, seven justices held that a disclosure of Communist Party membership was a reasonable requirement, relevant to determining fitness for public service. Justice Clark ruled, in behalf of a bare majority, that the oath was not ex post facto, since the five-year period covered by the oath extended back only to 1943, whereas the activity had been proscribed by the charter amendment since 1941. Nor was the oath a bill of attainder, since no punishment is involved in a general regulation which merely provides standards of qualification for employment. Justice Clark thought that the *Cummings* and *Garland* cases[98] established the proposition that the guaranty against bills of attainder was not intended to preclude legislative definition of such standards for public or professional employment. The *Lovett* case[99] was distinguished on the ground that there the statute named individual employees. Nor did the oath, in Justice Clark's judgment, deny due process because it was not limited to affiliations known to be in the proscribed class. He said that he had no reason to suppose that the oath is or will be construed locally so as to affect those who during their affiliation with a proscribed organization were innocent of its purpose, or those who severed their relations with such an organization when its character became apparent. He also thought that scienter was required by California decisional law.

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[96] *Gerende v. Board of Supervisors of Elections of Baltimore,* 341 U. S. 56 (1951). For a full discussion of the Ober Law, see *Shub v. Simpson,* 76 A. 2d 332 (Md. 1950). For a general discussion, see the superb annotation, "Validity of Governmental Requirement of Oath of Allegiance or Loyalty," 18 A.L.R. 2d 268–347.

[97] *Garner v. Board of Public Works of Los Angeles,* 341 U. S. 716 (1951).

[98] *Cummings v. Missouri,* 4 Wall. 277 (U. S. 1867); *Ex parte Garland,* 4 Wall. 333 (U. S. 1867).

[99] *United States v. Lovett,* 328 U. S. 303 (1946).

"We assume," he wrote, "that scienter is implicit in each clause of the oath. As the city has done nothing to negative this interpretation, we take it for granted that the ordinance will be so read as to avoid raising difficult constitutional problems which any other application would present."

Justice Frankfurter could not agree with this last point. He thought that the vice of the oath was that it was not limited to affiliation with organizations known at the time to have advocated overthrow of government. While it is true that scienter is ordinarily implied in a criminal statute, he pointed out that this ordinance did not define a crime but rather a condition of employment. It was not consistent with due process, he insisted, to ask men, on the pain of giving up public employment, to swear to something they cannot be expected to know. The oath was bad because it operated to deter even innocent associations, because it was at war with our traditions of gregariousness, and because it tended to produce "an atmosphere of repression uncongenial to the spiritual vitality of a democratic society." Justice Burton objected to the oath because, since it operated retrospectively, it left no room for a change of heart. Justice Black and Douglas thought that both requirements were unconstitutional under the authority of the *Cummings* and *Garland* cases, which struck down test oaths as being bills of attainder and ex post facto. Deprivation of employment, Justice Douglas argued, is clearly punishment, whether one is a professional man, a day laborer, or a government employee. The vice of the ordinance is that it sets up a presumption of guilt, on the basis of past advocacy, which can only be removed by an expurgatory oath. It is therefore in his opinion both a bill of attainder and an ex post facto law.

The Police Power. A 1947 California Compulsory Assigned Risk Law compels insurance companies to take an equitable share of poor risks who cannot get automobile insurance through ordinary methods, according to a reasonable plan approved by the Insurance Commissioner. A unanimous Court held the law constitutional.[100] Since the companies are permitted to charge higher premiums commensurate with the greater risks, there is no issue here of confiscation. The Court thought that this system of shared burdens was not unlike the state bank depositors' fund system which had been approved many years previously in the *Haskell* case.[101] Furthermore, as in the case of banking, the insurance business has long been subject to intensive governmental regulation.[102] The problem of personal and property injuries arising from accidents on the highways is acute, and the state may go far in using its own best judgment as to how to cope with it.

The Court had a more difficult time with *Standard Oil Co. v. New Jersey*,[103] which, by a 5–4 vote, sustained the New Jersey Escheat Act against numerous constitutional objections. Under this law, whenever the owner of any personal property in the state or his whereabouts have been unknown for 14 successive years, or whenever personal property in the state is unclaimed for 14 years, then such property escheats to the state.[104] Standard Oil, a New Jersey corporation, appealed from a judgment of the New Jersey courts which declared escheated to the state certain unpaid dividends on the company's stock and twelve shares of common stock. Speaking for a bare majority, Justice Reed ruled, first of all, that notice by publication once a week for three weeks in a newspaper of general circulation satisfied due process, since it was not possible to give more adequate warning. He also held that there was no impairment of the obligation of contract, but only an exercise of a regulatory power over abandoned property, since normally the obligor (or holder) and the obligee (or owner) would have no contractual arrangement between themselves for the disposition of property in case the owner fails to make a claim. The company argued that since it had no tangible property in New Jersey except its stock and transfer books, kept in its registered office, the property at issue had no situs in New Jersey for purposes of escheat. But Justice Reed declared that since the company was a New Jersey corporation, amenable to process through its designated agent at its registered office, New Jersey had the power to seize the *res;* it does not matter where the company's assets may be, since it is its obligation to pay to the escheated estate that is taken. This proceeding is based on the power of the state to exercise jurisdiction over the debtor. The situs of intangible property, such as choses in action, certificates and dividends, is fictional; everything depends upon control over the parties who can go to court to make their rights effective. Finally, the majority decided that under the Full Faith and Credit Clause the New Jersey judgment would protect the company from possible claims advanced against it in or by other states.

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[100] *California Automobile Association v. Maloney*, 341 U. S. 105 (1951).

[101] *Noble State Bank v. Haskell*, 219 U. S. 104 (1911).

[102] See *Osborn v. Ozlin*, 310 U. S. 53 (1940).

[103] 341 U. S. 428 (1951).

The four dissenters were concerned with the possibility of multiple escheat and the claims which other states might legitimately make. Justice Frankfurter thought that the state where the last known owner was domiciled certainly had a better claim to abandoned stock than a state in which it merely happens that a corporation is subject to process. Since the unpaid dividends are deposited with a New York bank, it may be inferred that they are also escheatable by New York, had she anticipated New Jersey. Constitutional rights, he observed, ought not to depend upon a race of diligence. He believed that other interested states ought to be made parties to this sort of litigation, with a right to resort to this Court to adjust conflicting interests.

2. EQUAL PROTECTION OF THE LAWS

In *Shepherd v. Florida*[105] the Court reversed a conviction of several Negroes in the Florida courts because Negroes had been intentionally excluded from the grand jury. The case attracted attention mainly because of Justice Jackson's concurring opinion. He thought that the real error was that the case had been tried in the newspapers, and in a mob atmosphere. In his judgment this case was very much like *Moore v. Dempsey*.[106] Justice Jackson is not impressed with the issue of discrimination in selection of grand juries, which has only a theoretical importance for him. He said that the Court was reversing for a trivial reason and ignoring the significant one, for he thought that the real point was that there would not have been a fair trial under the circumstances with any kind of jury. Justice Jackson first objected in 1950 to the holding that discrimination in the selection of grand jurors is reversible error.[107] Now apparently there is a convert, for Justice Frankfurter concurred in his opinion, although he may have been interested chiefly in that portion which was concerned with the integrity of the judicial process, for Justice Frankfurter is on record as being strongly opposed to having cases tried in the newspapers.[108]

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[104] The escheat of abandoned bank deposits was recently approved in *Anderson National Bank v. Luckett,* 321 U. S. 233 (1944), and of unclaimed insurance money in *Connecticut Mutual Life Insurance Co. v. Moore,* 333 U. S. 541 (1948).

[105] 341 U. S. 50 (1951). The Court merely cited *Cassell v. Texas,* 339 U. S. 282 (1950). See R. L. Stone, "Discrimination in the Selection of Grand Juries: Theory and Practice," *Texas Law Review,* Vol. 29, pp. 817–827 (1951).

The Court held in *Dowd v. United States*[109] that a discriminatory denial to a state prisoner of the statutory right of appeal was a violation of the Equal Protection Clause of the Fourteenth Amendment, for the correction of which habeas corpus lies in a federal district court. The case was remanded, however, to give the state court a chance to provide the appellate review to which the prisoner was entitled.

3. STATE POWER AND THE COMMERCE CLAUSE

Police Power. There was a substantial number of cases during the 1950 term testing the validity of state regulatory or tax laws which impinged in some fashion upon interstate commerce. In *Breard v. Alexandria*[110] a majority of six justices sustained the constitutionality of a "Green River ordinance" of Alexandria, Louisiana, which forbids going in and upon private residences for the purpose of soliciting orders for the sale of goods without the prior consent of the owners or occupants. Breard, a regional representative of a Pennsylvania corporation, was arrested while going door to door soliciting subscriptions for nationally known magazines. Justice Reed held that the ordinance did not deny due process, because its prohibition was a limited one which left open the "usual methods of solicitation—radio, periodicals, mail, local agencies." A legitimate business may be restricted, he argued, to protect citizens against annoyance. Similarly, there was no violation of the commerce clause, for however large this interstate business was, and however important it may be to publishers to sell by the house-to-house method of solicitation, as a matter of constitutional law they are in no better position than the sellers of other wares. And there is no discrimination against interstate commerce because out-of-state sellers are left on the same basis as local sellers. It may well be that as a result of this regulation local retail competitors may gain advantages, but, said Justice Reed soothingly, the solicitor retains his flexibility of movement and freedom from heavy investment. He also cited the wide use of the Green River ordinance to brush aside the argument that it sprang mainly from the selfish influence of local merchants. The notion that selfishness is not widespread will certainly appear to many observers of the human scene as a singularly unperceptive moral observation. Justice Reed seemed to insist that there was some constitutionally significant distinction between the social and the economic welfare of the community, and insisted that if there is a reasonable basis for legislation concerned with social welfare, then it is not for the Court to deny this exercise of power locally because of the Commerce Clause. Finally, he ruled that the ordinance did not violate the First Amendment, the doorbell-ringing case of *Martin v. Struthers*[111] being distinguished on the ground that no commercial element was involved there, whereas here the ordinance involved only commercial advertising. In his dissenting opinion, Chief Justice Vinson, with whom Justice Douglas agreed, maintained that this ordinance was an undue and discriminatory burden on interstate commerce, within the rule established long ago in the *Robbins* case[112] and recently re-examined and reaffirmed.[113] He thought that the Court had always sharply distinguished between the process of solicitation of interstate business and the essentially local retailing operations of hawking and peddling.[114] Nor did he believe that this case came within the *Cooley* rule[115] since there were here both an undue burden and a discrimination against interstate commerce in favor of local merchants. Adhering to the preferred position philosophy which he accused the Court of abandoning, Justice Black maintained that this was a problem of freedom of the press. A free press means not only a press free to publish and circulate, but also to solicit subscribers, though he supposed that the ordinance could be applied constitutionally to a merchant going door-to-door selling pots.

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[106] 261 U. S. 86 (1923).

[107] In *Cassell v. Texas*, 339 U. S. 282 (1950).

[108] See his opinions in *Bridges v. California*, 314 U. S. 252 (1941) (dissenting); *Pennekamp v. Florida*, 328 U. S. 331 (1946) (concurring); *Craig v. Harney*, 331 U. S. 367 (1947) (dissenting).

[109] *Dowd v. United States ex rel. Cook*, 340 U. S. 206 (1951). See Note, "Federal Habeas Corpus and the Equal Protection Clause," *Indiana Law Journal*, Vol. 26, pp. 248–259 (1951).

[110] 341 U. S. 622 (1951). See R. L. Stern, "The Problems of Yesteryear—Commerce and Due Process," *Vanderbilt Law Review*, Vol. 4, pp. 446–468 (1951).

The Chief Justice thought that this decision was contrary to that taken in *Dean Milk Co. v. City of Madison.*[116] Here six justices agreed that a milk ordinance of Madison, Wisconsin, was a violation of the Commerce Clause. The ordinance made it unlawful to sell milk as pasteurized unless it had been processed and bottled at an approved pasteurization plant within a radius of five miles from the city's central square. It also prohibited the sale of milk, or the importation, receipt or storage of milk for sale, unless taken from a source of supply having a permit issued after inspection by Madison officials. Madison officials, however, have no duty to inspect farms located more than 25 miles from the center of the city. The Dean Milk Company, an Illinois corporation, purchased milk from farms in northern Illinois and southern Wisconsin, all of them more than 25 miles distant from Madison, and pasteurized its milk in two plants in Illinois, 65 and 85 miles distant. These farms and plants were licensed and inspected by the Chicago public health authorities. The Court ruled that it was improper for Madison to deny this company access to the city. Said Justice Clark: "In thus erecting an economic barrier protecting a major local industry against competition from without the State, Madison plainly discriminates against interstate commerce. This it cannot do, even in the exercise of its unquestioned power to protect the health and safety of its people, if reasonable nondiscriminatory alternatives, adequate to conserve legitimate local interests, are available." He then proceeded to show that there were reasonable and adequate alternatives, either inspection by Madison officials, for which fees could be charged commensurate with the costs, or use of the U. S. Public Health Service standards and facilities. Justices Douglas and Minton concurred in a dissenting opinion filed by Justice Black. He thought that this ordinance could be justified as a reasonable local health measure. And he described the concept of "reasonable alternative" as something altogether new in the way of a constitutional doctrine for justifying the nullification of a local health law.

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[111] 319 U. S. 141 (1943).

[112] *Robbins v. Shelby County Taxing District,* 120 U. S. 489 (1887).

[113] *Nippert v. Richmond,* 327 U. S. 416 (1946).

[114] As in *Wagner v. Covington,* 251 U. S. 95 (1919).

[115] *Cooley v. Board of Wardens,* 12 How. 299 (U. S. 1851).

[116] 340 U. S. 349 (1951).

One of the most important cases of the year, from the point of view of its possible impact on the economy, was the *Schwegmann* case,[117] in which the scope and effectiveness of the state fair trade laws were seriously reduced. The Miller-Tydings Act of 1937 amended the Sherman Act to permit "contracts or agreements prescribing minimum prices for the resale" of commodities "when contracts or agreements of that description are lawful as applied to intrastate transactions, under any statute, law, or public policy now or hereafter in effect in any State." Louisiana has such a law permitting resale price maintenance contracts, and it also provides, as do 44 other states, that once there is a price-fixing contract with any retailer in the state, it applies to nonsigners as well. A majority of six justices ruled that the Miller-Tydings Act did not turn over to the states the whole problem of resale price maintenance, and that the Act does not extend to nonsigners. This conclusion rested mainly upon a very literal reading of the Act. Justice Douglas said that the Act sanctions only "contracts or agreements," and that when the parties to a contract impose their price fixing upon persons who have not contracted then the price fixing is by compulsion and not agreement. Furthermore, he argued that Miller-Tydings expressly continued the prohibitions of the Sherman Act against "horizontal" price fixing by those in competition with each other at the same functional level. This militates against an interpretation which would sanction a state policy that forces retailers to abandon price competition. Finally, he insisted that the legislative history of the Act supports this view. Justice Jackson, who concurred, thought that the decision should rest entirely upon the text of the Act, and that since the language of the statute was clear enough, it was neither necessary nor proper to go back to legislative history. In fact, he advanced several cogent arguments, some quite novel, in defense of the proposition that courts should not pay much attention to legislative history. This evasion of the issue of legislative history was sound enough for, as Justice Frankfurther clearly demonstrated in a dissenting opinion joined by two colleagues, the legislative history supports the opposite conclusion. Every state fair trade law has a nonsigner clause, they would be futile without such clauses, and Miller-Tydings was intended to validate them. It should be observed that except for a brief flurry of price-cutting in the large department stores of New York, which sent an abortive message of cheer to consumers, not much has happened as a result of this decision, and not much is likely to happen so long as the economy is in a state of boom.

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[117] *Schwegmann Brothers v. Calvert Distillers Corp.*, 341 U. S. 384 (1951). See Note, "Fair Trade Laws and Discount Selling," *Harvard Law Review*, Vol. 64, pp. 1327–1338 (1951).

The power of a state to fix prices, at the wellhead, of natural gas produced within its borders and sold interstate was upheld in *Cities Service Gas Co. v. Peerless Oil & Gas Co.* [118] Brushing aside due process and equal protection issues as being "virtually without substance," the Court held that, in the absence of contrary federal legislation, this sort of regulation came within the *Cooley* rule. The local interest of conservation was held to outweigh whatever national interest there might be in the prevention of state restrictions. Similarly, the Court held in *Panhandle Eastern Pipe Line Co. v. Michigan Public Service Commission*[119] that in the absence of federal legislation, a state could require an interstate seller to acquire a certificate of public convenience and necessity before selling natural gas direct to industrial consumers within a city already served by a public utility. The proposed sales were primarily of local interest, said Justice Minton, involving the use of local streets and alleys, and the duplication of facilities already in existence, as well as the profitableness of a local concern already in operation. He also ruled that in the Natural Gas Act, Congress occupied only a part of the field, and as to sales, only the sale of gas in interstate commerce for resale was covered. Two dissenting justices agreed with the contention of the company that the certificate device goes beyond price regulation and in effect makes the right to engage in interstate commerce depend upon local permission. On the other hand, in *Amalgamated Association v. Wisconsin Employment Relations Board*,[120] the Court ruled that, as regards collective bargaining and peaceful strikes in industries affecting commerce, Congress occupied the whole field with the Taft-Hartley Act. Therefore a Wisconsin law prohibiting strikes in public utilities was held invalid. The Chief Justice asserted that Congress has seen fit "to regulate labor relations to the full extent of its constitutional power under the Commerce Clause." He thought that the public utility question was fully argued and decided in the well-known *Edison* case[121] in 1938. Three dissenting justices thought that since labor relations in public utilities have traditionally been subject to regulation in a way that other industries have not, the silence of Taft-Hartley supports the inference that Congress did not intend to extend its power into this field.

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[118] 340 U. S. 179 (1950). Justice Black thought that the alleged federal issues were so frivolous that the appeal should have been dismissed. A companion case, *Phillips Petroleum Co. v. Oklahoma*, 340 U. S. 190 (1950), was decided in the same way, although the commerce issue was not raised.

[119] 341 U. S. 329 (1951).

[120] 340 U. S. 383 (1951).

State Taxation. A Massachusetts corporation operating a branch store in Illinois sought to escape paying the Illinois occupation tax, which is measured by gross receipts. The Court held that only the income derived by the company from orders sent directly to Massachusetts by the customer and shipped directly from there to the customer was not subject to the state tax.[122] One justice, dissenting in part, would also have exempted from the local tax sales consummated in Massachusetts by the acceptance of orders forwarded by the Illinois branch, filled in Massachusetts and shipped directly from there. Three justices dissented in part for the reason that they thought that all the proceeds derived from the sales of the company in Illinois were reasonably attributable to the company's local activities, since the Chicago office was the only source of customer relationship in Illinois, and the sole means by which process could be had in Illinois courts by aggrieved customers. They also noted that the local office afforded services after sale and was ready to receive complaints and offer technical advice.

A Missouri trucking company, with a principal place of business in Illinois, and engaged exclusively in interstate commerce, objected to paying the Connecticut corporation business tax, which was levied on net income, and which the state supreme court held was a tax upon the franchise of corporations for the privilege of doing business in the state, and not a tax for the use of the highways. A majority of six justices held that this was a tax upon the corporation's franchise for the privilege of carrying on exclusively interstate commerce, and therefore unconstitutional, even though a comparable sum of money could be raised lawfully by means of a tax levied for the use of the highways.[123] But the Court insisted that "it is not a matter of labels," but rather a question of the incidence of the tax. Three dissenting justices thought that the majority had reduced the problem to a matter of labels, for as soon as Connecticut finds the right tag it may tax.

The never-ending struggle to avoid paying taxes took a slightly different form in *Canton Railroad Co. v. Rogan.*[124] Here the railroad, which operates a freight-switching service entirely within the City of Baltimore, sought to avoid paying the Maryland franchise tax on steam railroads, which is measured by gross receipts and is properly apportioned. The company challenged the tax under the Export-Import Clause,[125] insofar as its gross income included revenue derived from handling goods moving in foreign trade. In other words, the railroad carried goods to and from the piers, and claimed that these are operations in foreign commerce. The Court held that this tax was not on the goods but on the handling of them at the port, and therefore validly applied. "To export," wrote Justice Douglas, "means to carry or send abroad; to import means to bring into the country. Those acts begin and end at the water's edge. The broader definition which appellant tenders distorts the ordinary meaning of the terms. It would lead back to every forest, mine, and factory in the land and create a zone of tax immunity never before imagined." In a companion case the Court held that there was no difference between the handling of exports and their transportation.[126]

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[121] *Consolidated Edison Co. v. N.L.R.B.*, 305 U. S. 197 (1938). See A. Cox and M. J. Seidman, "Federalism and Labor Relations," *Harvard Law Review*, Vol. 64, pp. 211–245 (1950).

[122] *Norton Co. v. Department of Revenue of Illinois*, 340 U. S. 534 (1951). See E. L. Barrett, Jr., "State Taxation of Interstate Commerce—'Direct Burdens,' 'Multiple Burdens,' Or What Have You?" *Vanderbilt Law Review*, Vol. 4, pp. 496–532 (1951).

[123] *Spector Motor Service v. O'Connor*, 340 U. S. 602 (1951). See J. P. Flanagan, Jr., "Taxation of Interstate Motor Commerce—Federal Occupation of the Field," *University of Pennsylvania Law Review*, Vol. 100, pp. 71–92 (1951).

[124] 340 U. S. 511 (1951).

4. INTERSTATE RELATIONS

Interstate Compacts. In 1940, eight states entered into a compact to control pollution in the Ohio River system. The compact created an administrative commission of three members from each state and three representing the United States, with the power to establish standards for treatment of sewage and industrial wastes and to issue compliance orders enforceable in state and federal courts. The states also agreed to meet an annual budget as determined by the commission and approved by the governors. The West Virginia Supreme Court refused to compel the state auditor to issue a warrant for the payment of an appropriation voted by the legislature to cover the state's share of the expenses for 1949. The reason given was that the 1939 statute approving adherence to the compact was invalid because it delegated the state's police power to other states and the federal government, and because, by binding future legislatures to make appropriations, it violated the debt clause of the state constitution. Speaking for a unanimous Court, which reversed the state decision,[127] Justice Frankfurter contributed an interesting essay on the subject of interstate compacts.[128] Since a compact is, after all, a legal document, there are bound to be disputes as to its meaning, however carefully drafted. The Supreme Court has the final power to pass on the meaning of compacts, just as it has the power to settle disputes between states where there is no compact. "A State cannot be its own ultimate judge in a controversy with a sister State." And while this Court is obliged to show deference to what the state's highest court deems to be the law in its jurisdiction, it does not follow that it must submit to the state's own determination of the nature of its obligations with other states. Justice Frankfurter thought that precedents[129] had made it clear that the Supreme Court is free to examine for itself determinations of law by state courts in the limited field where a compact brings in issue the rights of other states and the United States. He then proceeded to demonstrate that the West Virginia Court was wrong in its interpretation of the delegation and debt issues under the state constitution. In a concurring opinion, Justice Reed maintained that the Court had to accept the state court's interpretation of its own constitution, and that the case ought to be decided on the principle of federal supremacy, since compacts must be federally approved. Justice Jackson thought the case should be decided on an estoppel theory, for having made the agreement, he argued that West Virginia may not now decide to release herself from an interstate obligation.

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[125] U. S. Constitution, Article I, Section 10, Clause 2.

[126] *Western Maryland Railway Co. v. Rogan*, 340 U. S. 520 (1951).

[127] *West Virginia ex rel. Dyer v. Sims*, 341 U. S. 22 (1951).

[128] See F. Frankfurter and J. M. Landis, "The Compact Clause of the Constitution," *Yale Law Journal*, Vol. 34, pp. 685–758 (1925). For a recent survey see F. L. Zimmerman and M. Wendell, *The Interstate Compact* (Chicago, 1951).

Full Faith and Credit. No term of Court is really complete without at least one opinion on the subject of the full faith and credit owing to divorce decrees. This time the Court held that the daughter of a decedent father could not challenge in a New York court the validity of a Florida divorce decree, where the decedent had appeared by attorney in the Florida proceeding, and had not questioned the allegations as to residence.[130] Furthermore, since Florida does not seem to permit a child to contest his parent's divorce where the parent would be barred from contesting (here by res judicata), New York cannot permit such a collateral attack by reason of the Full Faith and Credit Clause.

Basing his complaint on the Illinois wrongful death statute, an action was brought in a Wisconsin state court to recover damages for a death resulting from an automobile accident in Illinois. By a 5–4 vote the Court held that Wisconsin may not close the doors of its courts to this cause of action because the Illinois statute is a "public act" within the meaning of the Full Faith and Credit Clause, the obligations of which cannot be escaped by the simple device of removing jurisdiction from courts otherwise competent.[131] Justice Black conceded that the Supreme Court has the duty of choosing between the competing public policies of states in each case, and that a state is not obliged to enforce automatically the conflicting public act of another state. But the basic conflict here was between the strong unifying principle embodied in the Full Faith and Credit Clause, on the one hand, and Wisconsin's policy of not permitting its courts to entertain this action. Since Wisconsin has no objection to wrongful death suits in general, it follows that Wisconsin's policy must give way. Finally, Justice Black ruled, assuming that the doctrine of *forum non conveniens* might under some circumstances justify a forum state in refusing to accord full faith and credit to the acts of sister states, the Wisconsin policy cannot be accepted as an application of that doctrine because this case is not one which lacks a close relationship with Wisconsin. The decedent, his administrator and the individual defendant were all residents of Wisconsin, the administrator had been appointed under Wisconsin law, and the defendant insurance company was a Wisconsin corporation. Justice Black was apprehensive that Wisconsin's exclusionary statute might result in a deprivation of all opportunity to enforce a valid death claim. Speaking for the minority, Justice Frankfurter argued that there was a reasonable basis for Wisconsin's closing its courts to this foreign cause of action. It may be concerned with the availability of witnesses in Wisconsin, with the lack of familiarity with the construction of a detailed foreign statute, and with the differences between its wrongful death statute and that of Illinois, as to beneficiaries, limits on liability, measure of damages, etc. He insisted that the administration of law, one of the most important of all local concerns, should not be sacrificed in the interest of what he regarded as a mere literal reading of the Full Faith and Credit Clause.

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[129] *Kentucky v. Indiana,* 281 U. S. 163 (1930); *Hinderlider v. La Plata River & C. Creek Ditch Co.,* 304 U. S. 92 (1938).

[130] *Johnson v. Muelberger,* 340 U. S. 581 (1951). Justice Frankfurter disagreed for the reasons given in his dissenting opinion in *Sherrer v. Sherrer,* 334 U. S. 343 (1948).

[131] *Hughes v. Fetter,* 341 U. S. 609 (1951).

Interstate Comity. A nonresident of Missouri brought an action in a Missouri court, under the Federal Employers Liability Act, against a foreign corporation for an accident that took place outside of Missouri. The Supreme Court of Missouri refused to grant a writ of mandamus compelling the trial court to dismiss the suit for lack of jurisdiction. This judgment was vacated and the case was remanded to the state court because a majority of the Supreme Court felt that it was possible that the Missouri court decided as it did because it believed it was under compulsion of federal law as enunciated by this Court.[132] A state is not required by this Court's precedents[133] to reject the doctrine of *forum non conveniens* in suits brought under the Federal Employers Liability Act. It may deny access to its courts so long as it does not discriminate against suits brought under the federal Act and does not offend the Comity Clause. There is therefore no federal issue if the denial of a motion to dismiss an action rests on a general local practice concerning the doctrine of *forum non conveniens*. Under the Comity Clause, a state may not discriminate against citizens of a sister state by denying them access to its courts in cases open to other nonresidents. But if it chooses, it may deny access to its courts to all nonresidents alike. Four justices dissented on the ground that the state judgment was based on the correct principle that a contrary decision would violate the Comity Clause. For, they pointed out, actually the Missouri court admits suits of nonresident citizens of Missouri, and if it does, it must then admit those of all other nonresidents.[134]

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[132] *Missouri ex rel. Southern Railway Co. v. Mayfield*, 340 U. S. 1 (1950).

[133] *Baltimore & O. R. Co. v. Kepner*, 314 U. S. 44 (1941); *Miles v. Illinois Central R. Co.*, 315 U. S. 698 (1942). The Court held that neither of these cases limited the power of a state to deny access to its courts to persons seeking recovery under the federal act, if in similar cases, for reasons of local policy, the state denies resort to its courts and enforces its policy impartially.

[134] On the remand, the Supreme Court of Missouri, now properly instructed, held once more that the trial court was obliged to hear the suit, because a nonresident citizen of Missouri would be allowed to bring such an action. *State ex rel. Southern R. Co. v. Mayfield*, 240 S. W. 2nd 106 (Mo. 1951), cert. denied, Nov. 5, 1951, 96 Law. Ed. Adv. Op. 51.

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BIBLIOGRAPHICAL AND REVIEW ARTICLES

A SURVEY OF POLITICAL SCIENCE LITERATURE ON JAPAN*

This bibliographical article by Professor Ward is the first of a series dealing with neglected foreign areas which have, within the recent period, assumed increasing importance to American political scientists. Articles to appear in subsequent issues will discuss the following areas: Africa, by Dr. William Brown, Washington, D. C.; the Balkans, Professor Michael Ginsburg, Indiana University; Central Asia, Professor Franz Michael, University of Washington; India, Professor David G. Mandelbaum, University of California; Pakistan, Dr. Phillips Talbot, Institute of Current World Affairs; the Near East, Dr. H. L. Hoskins, Library of Congress, and Dr. Majid Khadduri, School of Advanced International Studies; Occupied Areas, Professor Edward H. Litchfield, Cornell University; and Southeast Asia, Professor John F. Cady, Ohio University. (*Book Review Ed.*)

One of the few salutary consequences of the Second World War has been the new perspective it has brought to the United States on the Far East in general. The states and peoples of Eastern Asia have been promoted in terms of popular, professional and national interest from the ranks of exotic backwaters on the international scene to a status more closely approximating that which their ancient civilizations, teeming populations, extensive resources and accomplishments merit. The developments leading to this recognition have frequently been adverse or even disastrous when viewed from the standpoint of American national interests, but, pleasant or unpleasant, they confront us with a series of challenges which cannot be safely ignored.

There is nothing accidental or temporary about the resulting situation. The long-neglected problems of Asia will in the foreseeable future continue to demand a very significant share of our professional and national attention. Under these circumstances, it behooves us as political scientists to take stock of our accomplishments to date in the field of Asian studies and to evaluate the research materials and tools presently available to us.

It is the purpose of this article to provide such information for modern Japan in the form of a brief bibliographical inventory of literature of interest and value to political scientists. The coverage is, of necessity, highly selective and is confined to materials relating to post-Restoration (1867+) Japan, with particular emphasis on the results of wartime and postwar research. Since the voluminous literary output of the Allied Occupation will be the subject of a forthcoming article in this series, it will not be treated here. The emphasis on works in Japanese is partially due to the fact that the existing works in English and other European languages are in general fairly well known or can readily be ascertained by reference to the standard bibliographies which the writer will describe, whereas the Japanese literature, particularly that published during or since the war, is far more difficult either to discover or to evaluate. To an even greater degree, however, this emphasis is necessitated by the low quality of the political science research on modern Japan published in the western languages. There are, of course, a few brilliant exceptions; but, in general, students seeking significant insights into the politics and government of post-Restoration Japan in the existing literature must do so in the Japanese language, and even there the outstanding analyses are disappointingly few in number and are apt to be quite recent.

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I. THE STATUS OF POLITICAL SCIENCE AS A DISCIPLINE IN JAPAN

Political science in a formal disciplinary sense is of very recent origin in Japan. While it may in a most rudimentary manner trace its origins back to the years preceding the Restoration period to those students of foreign learning known as *Yōgakusha*, the majority of contemporary political scientists would probably agree that Professor Onozuka Kiheiji of Tōkyō University (1870-ca. 1935) was the first Japanese political scientist in the American sense of the term. He was preceded at Tōkyō University by at least two German exponents of *Staatslehre* and *Staatswissenschaft*, Hermann Roesseler and Karl Rathgen, but his work, *The Principles of Political Science* (*Seijigaku taikō*), published in 1903, marks the first modern treatment of the subject by a Japanese.

The new discipline can scarcely be said to have flourished as a consequence of his pioneering activities. Japanese universities were already firmly fixed in their adherence to the systematic and legalistic approach to the study of politics adopted from the great German universities of the day, especially Berlin and Vienna. Departments of political science did not come into existence until after World War II. Law departments stressing constitutional and administrative law and the other fields of public and private law were, however, the outstanding divisions of all great universities. In the largest and most eminent of the Imperial Universities and in a few of their private counterparts, one found a handful of individuals teaching political history or political science. As late as 1939, however, only two men in all Japan held the *Hakase* degree (which very roughly corresponds to our doctorate) in political science.

The prewar history of the discipline must, therefore, be sought in the careers and writings of a very few men such as Yoshino Sakuzō, Takahashi Seigo, Royama Masamichi, Imanaka Tsugumaro, Tamura Tokuji, *et al.* Much of their work was excellent and is still distinctly useful, but, in general, the discipline tended towards a relatively static fixation on constitutional and administrative law. In extenuation it must be said that the general context within which Japanese scholars operated was such as to render these fields decidedly the most attractive, and that unorthodox or critical studies, particularly of matters of recent or contemporary political importance, exposed their authors to serious professional and personal dangers. Even so, Japanese universities did manage to produce a number of brilliant innovators who today, under postwar conditions, are beginning to achieve recognition.

Considered against this background, Japan's defeat has not been without some professional rewards. Although confused and frustrated by the desperate circumstances of academic life in postwar Japan, harassed by a multitude of ambitious and frequently ill-conceived reform projects, and obliged to reorient their activities and thoughts in many difficult ways, Japan's scholars have recently begun to achieve again that modicum of security and balance essential to notable work. Political scientists, in particular, are finding that they are now far freer to conduct research and to write on at least some sensitive subjects than was hitherto the case. This new freedom, though still far from satisfactory, is giving rise to a limited but notable blooming of first-rate research in certain political science fields, particularly those of socio-legal and politico-economic studies of Japanese institutions and political attitudes, and to a reworking of modern Japanese political history from a socio-economic standpoint. Some of the most stimulating work in these fields has resulted from the application of the Marxian techniques of historical analysis to the known data of the Restoration and Meiji periods.

It is noteworthy that these six postwar years have witnessed the birth of political science as a generally recognized and significant discipline in Japanese universities. Partially as a result of Occupation promptings and partially as a result of genuine interest and conviction on the part of numerous Japanese scholars, there has developed a strong tendency to supplement the traditional concentration of university curricula on constitutional, administrative and civil law, with additional elements drawn from the normal American political science curriculum. The fields of public administration, political theory and political history seem currently to be the most popular additions, but most of the others are represented as well. None of these developments are entirely new to Japan, but the present scale of their acceptance and popularity does represent a significant change.

The extent of such developments is attested by the establishment for the first time, in November, 1948, of a Japanese Political Science Association (*Nihon Seiji Gakkai*). This organization had a membership of approximately 180 in 1950 and enjoys considerable prestige in professional circles. Its very existence is testimony to the distance which political science has come in a disciplinary sense in Japan since prewar days.

Literature about the disciplinary history of political science in Japan, as well as texts and monographs on the general subject, are, with a single exception, available only in Japanese. This exception is a small work which has had very limited circulation outside of Japan. It is a publication of the Union of Japanese Societies of Law and Politics entitled *The Japanese Science Review, Law and Politics: Retrospect and Prospect of the Legal and Political Sciences in Japan* (Tōkyō, 1950). This volume is derived from a more comprehensive work in Japanese compiled by the Committee for the Cultural Sciences and entitled *The Cultural Sciences in Japan; Retrospect and Prospect.*[1] The English item is largely a paraphrase, though with some omissions and changes, of the law and politics section of this Japanese work. One of the outstanding Japanese works on political science as an academic discipline in Japan is undoubtedly Royama Masamichi, *The Development of Modern Political Science in Japan.*[2] Of interest also are the several papers and panel discussions of political science and its prospects which appeared in the first issue of the *Annals of the Japanese Political Science Association,* entitled "Political Science,"[3] and the article on political science in Kyōto Daigaku Shimbunsha, *Dictionary of the Academic World.*[4]

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[1] Jimbun Kagaku Iinkai, *Nihon no jimbunkagaku, kaiko to tembō* (Tōkyō, Insatsuchō, 1949, 419 pp.). This is a special number of the journal *Zinbun.*

Among the principal prewar texts on political science were Takahashi Seigo, *Principles of the Science of Politics;* Royama Masamichi, *The Objectives and Functions of Political Science;* Imanaka Tsugumaro, *Principles of Political Science* and *Political Science, the Theory of the State;* and Ineda Shūnosuke, *Political Science.*[5] A considerable number of new texts have appeared since the war, prominent among which are Tozawa Tetsuhiko, *Survey of Political Science;* Yabe Teiji, *Political Science;* and Imanaka Tsugumaro's work of the same name.[6]

II. GOVERNMENTAL RECORDS

However unhappy have been the general effects of wars in recent times, they have resulted in notable windfalls for the political scientist and political historian interested in documentary research in the archival materials of the defeated powers. The recent war with Japan was no exception in this respect. An enormous volume of official Japanese records are now available for study by interested and qualified scholars.

Perhaps the most fascinating records of all are those produced in the course of the proceedings of the International Military Tribunal for the Far East, popularly known as the Tōkyō War Crimes Trials. The twenty-eight men indicted as first-class war criminals included many of Japan's outstanding leaders in the fields of politics, military affairs and foreign relations. Their trial lasted more than two years. The record occupies some 48,412 pages of "proceedings," over 50,000 pages of "exhibits" and thousands of additional pages of ancillary documentation. It covers, with varying degrees of completeness, major political, governmental, military, economic and diplomatic developments in Japan and the major overseas areas of Japanese interest and activity during the years 1928–1945, and it provides unprecedented insights into the plans and functioning of the Japanese government as well as into Japanese politics in general. These materials have the further advantages of being readily accessible in the libraries of this country and of being available in both English and Japanese. Their research exploitation has barely gotten under way in this country, and they will undoubtedly furnish a mine of valuable new projects and discoveries for years to come.[7]

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[2] *Nihon ni okeru kindai seijigaku no hattatsu* (Tōkyō, Jitsugyō no Nihonsha, 1949, 410 pp.).

[3] "Seijigaku," *Nihon Seijigakkai Nempō,* Vol. 1, no. 1, pp. 1–251 (1950).

[4] *Gakkai no jiten* (Tambaichi, Nara, Yōtokusha, 1951, 220 pp.).

[5] *Seiji kagaku genron* (1932, rev. ed. 1935); *Seijigaku no nimmu to taishō* (1925); *Seijigaku yōron* (1928) and *Seijigaku, kokkaron* (1924); *Seijigaku* (1916, rev. ed. 1918).

[6] *Seijigaku gairon; Seijigaku.*

Of comparable interest to specialists in Far Eastern international relations are the microfilm records of important surviving documents in the archives of the Japanese Foreign Ministry. A project for the selective photographing of these archives under the auspices of the Division of Historical Policy Research of the Department of State has now been under way in Tōkyō for several years. It has covered the records of the Foreign Ministry for the years 1867–1945 with such thoroughness as to lead to estimates that the documents selected for reproduction will eventually fill some 2,100,000 frames of film. The completed films, after screening by the Department of State, are deposited in the Library of Congress, where well upwards of one thousand reels of negative film are now available for research use. The reels so far received are particularly complete and valuable in respect to Sino-Japanese relations since the Revolution of 1911–12.[8]

The 30,303 volumes of records of the Japanese Army and Navy Ministries now held by the National Archives of the United States are perhaps of somewhat less importance, though still significant. The entire collection is composed in large part of hand-written or mimeographed administrative records of primary value only to the military historian. There are also, however, intelligence reports from abroad and materials pertaining to all of Japan's major incidents, expeditions and wars from 1868 to 1945, which are of considerable potential value to political historians and specialists in international relations.[9]

Finally, in this consideration of official Japanese records acquired as a result of our victory, mention should be made of the United States Strategic Bombing Survey Records, which have now been declassified in large part and are available in the War Records Division of the National Archives. Much of the information elicited by this large-scale survey was technical in nature, but a sizeable proportion also bore on subjects of distinct interest to political scientists, such as the status of popular morale in wartime Japan, the political struggle within Japan to end the war, and the military and political views and activities of numerous prominent Japanese.

Brief reference might also be made to the principal current official publications of the Japanese government which are most apt to provide information of political science value.[10] Of these, the most useful and authoritative, but also the most difficult and formidable to use, are undoubtedly the two publications known as the *Official Gazette* (*Kampō*) and the *Supplement to the Official Gazette* (*Kampō Gōgai*). The former is the most basic source for information on all aspects of official governmental activities. The vast majority of laws, ordinances, regulations, etc., become effective only after they have been printed in the *Official Gazette.* Similarly, it is required by law that vast amounts of other material also be published there. Since April 4, 1946, a special English-language edition of this gazette (*Eibun Kampō*) has been issued primarily for the convenience of Occupation officials. It is also worth noting that two of the greatest former impediments to the ready use of the *Official Gazette,* namely the lack of adequate indexing and the system of classifying the contents of its daily numbers by types of legislation and sublegislation, have now been remedied. A private firm, the Nihon Hōrei Tsūshinsha Henshūbu, now issues an *Annual Index of the Official Gazette Classified by Offices and by the Syllabary,*[11] which affords far more convenient guidance than do the monthly official indexes. A second private firm, Gihōdō, also publishes a conveniently rearranged version of the gazette, entitled *Compiled Edition of the Official Gazette Classified by Government Offices.*[12]

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[7] Readers interested in more detailed information about these records are referred to the excellent article by Delmer M. Brown in this REVIEW, Vol. 43, pp. 1010–17 (Oct., 1949). See also James T. C. Liu, "The Tōkyō Trial: Source Materials," *Far Eastern Survey*, pp. 168–70 (July 28, 1948).

[8] The results of this microfilming project are described in considerably greater detail by Edwin G. Beal, Jr., in the *Library of Congress Quarterly Journal of Current Acquisitions*, Vol. 8, pp. 44–45 (Feb., 1951).

[9] For more detailed information and a check list of the principal categories of documents involved, see James W. Morley, "Check List of Seized Japanese Records in the National Archives," *Far Eastern Quarterly*, Vol. 9, pp. 306–33 (May, 1950).

The *Supplement to the Official Gazette* (*Kampō Gōgai*) contains the stenographic records of proceedings on the floors of both houses of the National Diet. It, too, since May 2, 1946, has been issued in a special English-language edition as well as the normal Japanese one. Subject indexes are available upon a monthly and a sessional basis.

Finally, in this section on government publications, mention should be made of the very useful series issued separately by the Administrative Offices of the House of Councillors and of the House of Representatives, entitled *Manual of the House of Councillors* [or *of the House of Representatives*].[13] Issued now in two parts, this publication compiles all major laws and ordinances concerning the organization, procedure and administration of both houses of the Diet, and the election of members. It also contains brief biographical sketches of present members and staffs.

III. CONSTITUTIONAL AND ADMINISTRATIVE LAW

These have been the subjects upon which Japanese political scientists have traditionally bestowed their greatest interest and attention. Consequently scholarly monographs and texts in both fields are exceedingly numerous. In particular, many studies have been made of the Meiji Constitution of 1889.

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[10] A detailed account of the prewar publication history, arrangement and contents of all of these publications may be found in the present writer's *Guide to Japanese Reference and Research Materials in the Field of Political Science* (Ann Arbor, 1950, x+104 pp.), pp. 75–83.

[11] *Kanchōbetsu irohabetsu kampō nenkan sakuin,* Tōkyō, Nihon Hōrei Tsūshinsha Henshūbu, 1950—Annual.

[12] *Kanchōbetsu kampō shūroku,* Tōkyō, Gihōdō, Jan., 1948—Once or twice a month.

[13] Sangiin [Shūgiin] Jimukyoku, *Sangiin* [*Shūgiin*] *Yōran,* Tōkyō, Insatsuchō, 1898—By sessions.

The only detailed treatment of this document in English is a translation of Itō Hirobumi, *Commentaries on the Constitution of the Empire of Japan.*[14] Since Itō was president of the drafting commission, this work is basic. Among the older generation of Japanese constitutional lawyers, the name of Hozumi Yatsuka is preëminent. His views and interpretations continued to exert a strong influence, both directly and through his students, until the outbreak of World War II. His most definitive work is probably the *Manual of Constitutional Law.*[15] Best known among more recent scholars is Minobe Tatsukichi of Tōkyō University (died 1948). He, too, gained great prestige in Japan prior to his public disgrace over the "organ" theory of imperial sovereignty scandal in 1935. His interpretations and those of Hozumi differ in numerous important respects. His outstanding works are probably a *Manual of Constitutional Law* and *An Article-by-Article Commentary on the Constitution.*[16] Of only slightly less stature are the works and reputations of such scholars as Uesugi Shinkichi, Sasaki Sōichi, Satō Ushijirō and Miyazawa Toshiyoshi.

It is somewhat more difficult to assess with any accuracy the relative merits of postwar Japanese scholarship in the field of constitutional law. It can be said with finality, however, that no significant work on the new Japanese constitution of 1946 has yet appeared in any language but Japanese. The difficulties encountered by Japanese scholars in conducting research and in writing about the new constitution are primarily attributable to what, rightly or wrongly, they consider to be SCAP's sensitiveness toward criticism of this document. The true origins of the new constitution and the precise nature of SCAP's relationship thereto are still officially clouded in mystery, although privately they are well known to all Japanese political scientists and are freely discussed among them. It seems to be generally agreed in professional circles, however, that it would be highly indiscreet and probably in some degree professionally dangerous to indulge in systematic fundamental criticism of this amazing constitutional document, despite the fact that all realize such criticism to be richly merited and ultimately essential.

As a consequence of these circumstances, the numerous commentaries on the new constitution display a marked tendency to confine their treatment to the realms of pure exposition and legal analysis. For information of this sort, the writer would recommend Minobe Tatsukichi, *The Principles of Japanese Constitutional Law* and *An Article-by-Article Commentary on the New Constitution;* Sasaki Sōichi, *Basic Principles of the Constitution;* Miyazawa Toshiyoshi, *Introduction to the Constitution;* and Suzuki Yasuzō, *The Japanese Constitution.*[17]

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[14] (Tōkyō, Chūō Daigaku, 1889, 1906 and 1931). The original Japanese version also contains a section on the Imperial Household Law and is entitled *Teikoku kempō kōshitsu tempan gige* (Tōkyō, Maruzen, 1935, rev. ed., 200 pp.).

[15] *Kempō teiyō* (Tōkyō, Yūhikaku, 1940, 7th rev. ed., 583 pp.).

[16] *Kempō satsuyō* (Tōkyō, Yūhikaku, 1935, 5th rev. ed., 626 pp.) and *Chikujō kempō seigi* (Tōkyō, Yūhikaku, 1927, 739+13 pp.).

[17] *Nihon kokkempō genron* (Tōkyō, Yūhikaku, 1948, 508 pp.) and *Shin kempō chikujō,*

The prewar classics in the field of administrative law have been rendered obsolete by the drastic postwar revision of the organization and procedures of the Japanese government. To a considerable extent, however, the men mentioned above as prominent in the field of constitutional law are also outstanding students of administrative law. Hozumi, Minobe and Sasaki have all written extensively in this field. Other important names are those of Watanabe Sōtarō, Oda Yorozu, Tanaka Jirō and Ukai Nobushige. Good general treatments of postwar administrative law may be found in Watanabe Sōtarō, *Principles of Japanese Administrative Law*, and in Tagami Jōji, *Survey of Administrative Law*.[18]

IV. FOREIGN POLICY, POLITICAL HISTORY AND THE RECENT POLITICAL SCENE

Wars, whether won or lost, seem to have a marvelously cathartic effect upon the dammed-up literary propensities of politicians and generals. Japan has been no exception to this rule. Particularly in these past two years, stimulated doubtless by prior revelations at the hearings of the International Military Tribunal for the Far East, as well as by the difficult economic circumstances of life in postwar Japan, an unending parade of prominent men have been offering autobiographies, biographies and inside accounts of prewar Japanese politics and foreign relations to a vastly intrigued public. These records represent the richest type of raw material for the political scientist and urgently demand exploitation in this country. So far, practically no use has been made of them abroad. Space precludes anything but a bare listing of the most notable examples of these materials, but in many cases the names of their authors speak for themselves.

To date no less than seven former prime ministers, one of whom was also a genrō, have bared their thoughts and careers to the public gaze in one form or another—Saionji Kimmochi, Hara Kei, Wakatsuki Reijirō, Inukai Tsuyoshi, Okada Keisuke, Konoye Fumimaro and Shidehara Kijūrō.[19] Numerous other

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kaisetsu (Tōkyō, Nippon Hyōronsha, 1947, 154 pp.); *Kempō taigi* (Tōkyō, Yūhikaku, 1950, 222 pp.); *Kempō nyūmon* (Tōkyō, Keisō Shobō, 1950, 392+11 pp.); and *Nihon no kempō* (Tōkyō, Kokudosha, 1949, 205 pp.).

[18] *Nihonkoku gyōseihō yōron* (1949); *Gyōseihō sōron* (1950).

[19] (1) Harada Kumao, *Saionji kō to seikyoku* (*Prince Saionji and the Political Situation*, Tōkyō, Iwanami, 1950—8 vols., of which 5 have already been published). This series was popularly known during the Tōkyō War Crimes Trials as the Harada Diary (*Harada nikki*). (2) *Hara Kei nikki* (*Diary of Hara Kei*, 1950). (3) Wakatsuki Reijirō, *Kofuan kaikō roku* (*Memoirs of Kofuan*, Tōkyō, Yomiuri Shimbunsha, 1950, 469 pp.). (4) *Bokudo Hiwa* (*Secret Life of Bokudo* [Inukai Tsuyoshi], in *Mainichi Shimbun*, 1950). (5) Okada Keisuke, *Okada Keisuke kaikōroku* (*The Memoirs of Okada Keisuke*, Tōkyō, Mainichi Shimbunsha, 1950, 298 pp.). (6) Konoye Fumimaro, *Heiwa e no doryoku* (*Efforts towards Peace*, Tōkyō, Nihon Dempō Tsūshinsha, 1946, 146 pp.); and Asahi Shimbunsha, *Ushinawareshi seiji, Konoye Fumimaro kō no shuki* (*A Frustrated Policy; The Notebooks of Prince Konoye Fumimaro*, Tōkyō, Asahi Shimbunsha, 1946, 154 pp.). (7) Shidehara Kijūrō, *Gaikō Gojūnen* (*Fifty Years of Foreign Affairs*, Tōkyō, Yomiuri Shimbunsha, 1951, 324 pp.). A more detailed discussion of items (1), (2), (3) and (6) above, may be found in Nobutaka Ike, "Japanese Memoirs—Reflections of the Recent Past," *Pacific Affairs*, Vol. 24, pp. 185–90 (June, 1951).

men almost as prominent have also spoken, but space will permit the mentioning of only a few of the most notable. Large parts of the personal diaries of Kido Koichi, Lord Privy Seal and one of the Emperor's chief advisers, have been made public.[20] General Ugaki Kazushige, one of Japan's most notable prewar military politicians, has published a volume of memoirs poetically entitled *Commonplace Conversations Amidst the Sighing of the Pines.*[21] Both Admiral Nomura Kichisaburō and Kurusu Saburō, Japan's pre-Pearl Harbor emissaries to this country, have published accounts of their mission to this country and of other diplomatic matters.[22] A number of professional diplomats, headed by Arita Hachirō, have followed the leadership of Shidehara and described the objectives and methods of Japan's prewar foreign policy as they saw it from their several vantage points.

Most of the mystery concerning the details and ramifications of the several notable incidents, such as the Affairs of May 15, 1932 and of February 26, 1936, which marked the rise of the military clique to political power, has now been cleared away by a number of recent publications.[23] Moreover, for the first time a number of books and documents describing in detail the organization, development, internal dissensions and police suppression of the Japanese Communist Party have become available. Among the most interesting of these are the reflections of several of the party's leaders on their own experiences within the organization.[24] The best general accounts of the Japanese Communist Party's history are probably to be found in Yoshioka Nobumasa, *An Analysis of the Japanese Communist Party,* and in the party's official history by Ichikawa Shōichi, *A Short History of the Struggles of the Japanese Communist Party.*[25]

V. PUBLIC ADMINISTRATION

Public administration in the disciplinary sense of the term, like political science, is a relatively new development in Japan. The first chairs devoted to the teaching of this subject were established at Tōkyō and Kyōto Imperial Universities only in 1921–22. Their respective occupants, Royama Masamichi and Tamura Tokuji, were for some time thereafter the sole academic practitioners in Japan and were personally responsible for the elaboration of the functional and theoretical approaches to the study of public administration which distinguished it from the established and academically popular discipline of administrative law.[26] Also outstanding in its general contributions to the development of the science of public administration in both prewar and postwar Japan has been the work of the famous Tōkyō Institute for Municipal Research (Tōkyō Shisei Chōsakai), founded in 1922 and currently operating under the able direction of Tanabe Sadayoshi.

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[20] *Kido nikki* (*The Kido Diaries,* Tōkyō, Heiwa Shobō, 1947, 163 pp.). Large portions of this have been translated in the Proceedings and Exhibits of the International Military Tribunal for the Far East.

[21] *Shōrai seidan* (Tōkyō, Bungei Shunjū Shinsha, 1951, 346 pp.).

[22] Nomura Kichisaburō, *Beikoku ni tsukaishite* (*My Mission to America,* Tōkyō, Iwanami, 1946, 203+241 pp.), and Kurusu Saburō, *Homatsu no sanjūgonen* (*The Passing of Thirty-five Years,* Tōkyō, Bunka Shoin, 1949, 242 pp.).

[23] See, for example, Yamamoto Shōnosuke, *Nihon wo horoboshita mono* (*Things Which Ruined Japan,* Tōkyō, Shōkō Shoin, 1949, 442 pp.); Mitsuda Iwao, *Shōwa fūun roku* (*Record of the Storms of the Shōwa Era* [1925+], Tōkyō, Shinkigensha, 1943, 444 pp.); and Saito Ryū, *Ni ni roku* (*The February 26th Incident,* Tōkyō, Kaizōsha, 1951, 297 pp.).

[24] Nozaka Sanzō, *Bōmei jūrokunen* (*Sixteen Years in Exile,* Tōkyō, Jiji Tsūshinsha, 1946, 86 pp.); Tokuda Kyūichi, *Waga omoide* (*My Memoirs,* Tōkyō, Tōkyō Shoin, 1948, 237 pp.); and Tokuda Kyūichi and Shiga Yoshio, *Gokuchū jūhachinen* (*Eighteen Years in Prison,* Tōkyō, Jiji Tsūshinsha, 1946, 161 pp.).

[25] *Nihon kyōsantō no kaibō* (Tōkyō, Kyōyūsha, 1948, 241 pp.), and *Nihon kyōsantō tōsō shōshi* (Tōkyō, Shōkō Shoin, 1946, 214 pp.). An excellent annotated treatment of the literature in this field may be found in Rodger Swearingen and Paul Langer, *Bibliography on Japanese Communism* (New York, Institute of Pacific Relations, 1950, 8+16 leaves).

During the postwar period, public administration, like political science, has come into its own. Courses in the field are now beginning to be generally offered by Japanese universities. In November, 1950, the outstanding scholars in the field, in cooperation with a number of interested officials of the national and local governments, banded together to form a professional association known as the Japanese Society for Public Administration (Nihon Gyōsei Gakkai). Under these more favorable postwar circumstances, a number of promising new names are coming to the fore. Prominent among them are Tsuji Kiyoaki of Tōkyō University, Nagahama Masatoshi of Kyōto University and Yoshitomi Shigeo of Ritsumeikan University.[27]

VI. SERIAL PUBLICATIONS

Much of the best professional writing about Japan in fields of interest to political scientists is being published in periodicals rather than in books. An extended list cannot be offered here, but the following are probably the most important.

The major English-language periodicals regularly devoting substantial attention to modern Japan are (1) the *Far Eastern Quarterly*, (2) *Pacific Affairs*, (3) the *Far Eastern Survey*, (4) *Contemporary Japan* and (5) a new serial entitled *Occasional Papers of the Center for Japanese Studies*.[28] In the Japanese language the outstanding periodical is the *Journal of the Political Science As-*

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[26] The major works produced in the field during this prewar period were Royama Masamichi, *Gyōseigaku sōron* (*Survey of Public Administration*, 1928), *Gyōsei sōshiki ron* (*Administrative Organization*, 1930), and *Gyōseigaku genron* (*Principles of Public Administration*, 1936); and Tamura Tokuji, *Gyōseigaku to hōritsugaku* (*Public Administration and Law*, 1925), and *Gyōsei kikō no kiso genri* (*Fundamental Principles of Administrative Organization*, 1938).

[27] Their principal works are respectively: *Nihon seifu no kanryō* (*The Bureaucracy of the Japanese Government*, 1952); *Chiji kōsen no shomondai* (*Problems in the Popular Election of Prefectual Governors*, 1946); and *Gyōsei sōshiki genri* (*Principles of Administrative Organization*, 1939).

[28] (1) Ithaca, N. Y., the Far Eastern Association, 1941—Quarterly; (2) New York, Institute of Pacific Relations, 1928—Quarterly; (3) New York, Institute of Pacific Relations, 1932—Fortnightly; (4) Tōkyō, Foreign Affairs Association for Japan, 1932—Quarterly; (5) Ann Arbor, Mich., 1951—Irregular.

sociation (*Kokka Gakkai Zasshi*).[29] In addition, there are a large number of professional law journals which frequently carry articles of interest to political scientists. Among the best of these are the *Journal of the Law Association* and the *Law Review*.[30] For general information on current politics and political problems, however, there are still no sources equal in quality or coverage to those famous and long-established journals, the *Central Review* (*Chūō kōron*) and *Reconstruction* (*Kaizō*).[31]

VII. GENERAL REFERENCE MATERIALS

A word might also be said about a few general reference sources in both English and Japanese which are of major research value. Of the better known prewar sources in English, only *The Japan Yearbook* survives.[32] Among its numerous Japanese counterparts political scientists will probably find the *Asahi Yearbook*, *Jiji Yearbook* and the *Political Parties Yearbook* most useful.[33]

The need for authoritative statistical information is, of course, constant. Fortunately, the two best postwar sources of such data are now being published in both Japanese and English. The more generally useful of the two is probably the *Japan Statistical Yearbook*, compiled annually by the Executive Office of the Statistics Commission and the Statistics Bureau of the Prime Minister's Office.[34] This publication is a continuation of the famous prewar *Statistical Yearbook of the Japanese Empire* and affords excellent coverage of general statistics, from area and population figures to price level and production statistics. Almost as useful for current figures on employment, exports, family income, production and price levels is the fine *Monthly Bulletin of Statistics*, issued by the Statistics Bureau of the Prime Minister's Office.[35]

Finally in this listing of general research materials might be mentioned another category of research aid, familiarity with which can save students a great deal of time and effort. This is the chronology. For political scientists the most useful one is probably the Tōyō Keizai Kenkyūjo, *Chronological Index of Politics and Economics*.[36] This is a well-indexed work listing by date all political and economic developments of significance from 1841 to March, 1943.

VIII. BIBLIOGRAPHICAL AIDS

Since the present article is necessarily both brief and selective, it seems desirable to present a modicum of bibliographical direction for scholars desirous of more extensive or detailed information than is here provided. The classic treatment of western works on Japan is the monumental von Wenckstern-Nachod-Praesent series, entitled *Bibliographie von Japan,* which now includes some eight volumes and offers classified coverage of those books, articles and maps concerning Japan appearing between 1859 and 1937 in all European languages. The series was initiated by Friederich von Wenckstern and was continued first by Oskar Nachod and later by Hans Praesent and Wolf Haenisch. The first four volumes, covering the period down to 1926, are also available in English translations. In addition to the encyclopedic coverage offered by this series, students will find the small but well-selected and annotated bibliography entitled *A Selected List of Books and Articles on Japan,* by Hugh Borton, Serge Elisséeff and Edwin O. Reischauer,[37] most useful. For more recent publications, the best sources are probably Earl H. Pritchard, *Bulletin of Far Eastern Bibliography*[38] and the regular bibliographical sections of the *Far Eastern Quarterly.* Both are classified and cover books and periodical articles.

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[29] Tōkyō Kokka Gakkai, 1887—Monthly. This has no connection with the recently established Japanese Political Science Association.

[30] *Hōgaku Kyōkai Zasshi*, Tōkyō, Yūhikaku, 1884—Monthly; *Hōgaku Ronsō*, Kyōto, Yūhikaku, 1919—Monthly.

[31] Tōkyō, Chūō Kōronsha, 1887—Monthly; Tōkyō, Kaizōsha, 1919—Monthly.

[32] Tōkyō, Foreign Affairs Association of Japan, 1933—.

[33] *Asahi nenkan*, Osaka and Tōkyō, Asahi Shimbunsha, 1919—; *Jiji nenkan*, Tōkyō, Jiji Tsūshinsha, 1918—; and *Seitō nenkan*, Tōkyō, Nyususha, 1947—.

[34] Tōkei Iinkai Jimukyoku, Sōrifu Tōkeikyoku, *Nihon tōkei nenkan*, Tōkyō, Nihon Tōkei Kyōkai, 1949—Annual.

[35] Sōrifu Tōkeikyoku, *Tōkei geppō*, Tōkyō, Sōrifu Tōkeikyoku, 1949—Monthly.

[36] *Sakuin seiji keizai dainempyō* (Tōkyō, Tōyō Keizai Shimpōsha, 1943; 2 vols.).

Literature in the Japanese language of interest to political scientists is covered in a variety of sources. Probably the most convenient for general purposes is the present writer's *A Guide to Japanese Reference and Research Materials in the Field of Political Science.*[39] This is an extensively annoted and classified bibliography of the major works in all fields of political science, except foreign relations, which appeared between 1867 and 1941. In respect to postwar treatments of the literature of political science in Japanese, it has only been since the end of 1949 that adequate bibliographical coverage has again begun to become available, and, despite notable progress, there are still many gaps. Some of the work already produced, however, is of distinct use. Collections of bibliographical essays have recently enjoyed a mild vogue in Japan, and some of these merit notice. Their value, it should be understood, is apt to transcend that of the ordinary annotated bibliography, since they usually include succinct accounts of recent developments in their various fields of interest, notes as to the identity and career of the scholars involved, and statements of the principal problems currently receiving academic attention, as well as excellent selective and classified lists of recommended reading. Outstanding among such collections are: (1) Kikui Koreō, Yokota Kisaburō and Wagatsuma Hisashi, *Guide to Legal Research;* (2) Kawai Eijirō and Kimura Kenkō, *An Annotated Bibliography of Recommended Literature;* (3) Tōkyō Daigaku Kyōdō Kumiai Shuppanbu, *An Introduction to the Study of Japanese History;* and (4) a special number of the magazine *Jiyū Kokumin,* entitled "A Guide to Current Literature and Culture."[40]

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[37] Washington, D. C., Committee on Japanese Studies, American Council of Learned Societies, 1940, x+142 pp.

[38] Washington, D. C., Committee on Far Eastern Studies, American Council of Learned Societies, 1936–40; 5 vols.

[39] See above, n. 10.

[40] (1) *Hōgaku kenkyū no shiori* (Tōkyō, Tōkyō Daigaku Gakusei Bunka Shidōkai, 1950

The writer knows of no generally satisfactory bibliography giving systematic and detailed coverage of the literature of political science. The closest approximation thereto will probably be found in the unannotated lists contained in publishers' yearbooks and in the notable series of bibliographical publications now being issued by the National Diet Library. In the former category the Shuppan Nyūsusha, *Yearbook of Publications*, is outstanding.[41] The National Diet Library corresponds to our Library of Congress. Most useful among its bibliographical publications is undoubtedly *The General Catalogue of Works Published in Japan*,[42] a classified index of government documents and copyrighted private publications. It offers the only approximately satisfactory access to the field of official publications, but it is still notably incomplete. The Library also publishes the sole general guide to Japanese magazine articles, the *Periodical Index*.[43]

IX. CONCLUSION

This brief bibliographical survey of the principal works and reference materials on Japan in several of the major political science fields may be concluded with several comments on the current status of relevant professional research. First, American scholarship has so far produced very few outstanding studies of the politics and government of modern Japan. Some promising work is known to be in process, but the published record to date is poor. Second, because of factors which have been explained, our professional colleagues in the universities of Japan have until recently suffered from distinct disadvantages where research into the politics and government of their own country was concerned. In recent years the pioneering studies of men such as Royama Masamichi, Kawashima Takeyoshi, Maruyama Masao, Ukai Nobushige and a considerable number of others have pointed the way to whole new fields of knowledge about Japan, but, as a whole, their work has been exceptional. Third, as a consequence of Japan's defeat and occupation, a vastly rich store of documentary, archival and other materials of all sorts has been made available to both Japanese and foreign students of political science. This juxtaposition of the dearth of accomplishments to date with these unprecedented research opportunities may serve as some measure of the challenge which the field today presents.

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2 vols.); (2) *Kyōyō bunken kaisetsu* (Tōkyō, Shakai Shisō Kenkyūkai Shuppanbu,1950, rev. ed., 2 vols.); (3) *Nihonshi kenkyū nyūmon* (Tōkyō, Tōkyō Daigaku Kyōdō Kumiai Shuppanbu, 1949, 305 pp.; rev. ed., 1951, 384 pp.); (4) "Gendai no dokusho to kyōyō annai," *Jiyū Kokumin*, no. 21, special no., pp. 1–216 (Sept., 1950).

[41] *Shuppan nenkan*, Tōkyō, Shuppan Nyūsusha, 1951—Annual.

[42] *Zen Nihon shuppanbutsu sōmokuroku*, Tōkyō, Kokuritsu Kokkai Toshokan, 1951—Annual.

[43] *Zasshi kiji sakuin*, Tōkyō, Kokuritsu Kokkai Toshokan, 1948—Monthly.

PROFESSOR MORGENTHAU'S THEORY OF POLITICAL "REALISM"

Even a superficial comparison of the writings in international relations during the period between the two world wars with similar writings today evidences the trend toward a new "realism." It is apparent that studies in international law and organization, in particular, have given way to an almost exclusive concentration upon the study of power. To the self-styled realists of today the interwar period is the era of utopianism, distinguished only by its aimless humanitarianism. In the writings of Professor Hans J. Morgenthau, and especially in his latest book, *In Defense of the National Interest; A Critical Study of American Foreign Policy,* is found the typical, perhaps even the leading, illustration of the new realistic approach.[1]

In his critical study of American foreign policy, Professor Morgenthau apparently has attempted to accomplish several quite distinct tasks. First of all, he presents a theory of international politics, a theory elaborated at greater length in his earlier volumes. He also applies this theory to the problems of American foreign policy. But, in addition, he presents criticism of American foreign policy based upon political (i.e., value) judgments.

This review is not concerned with Professor Morgenthau's political criticism. Where he suggests a course of action that American foreign policy ought to take and makes it quite clear that this suggestion depends upon his own political preferences, no objection—at least from a scientific point of view—can be taken.[2] Unfortunately, however, Professor Morgenthau has not always taken the care to separate what he presents as a scientific analysis from his political judgments and consequently endeavors to do the impossible—that is, to deduce value judgments from what he considers to be international political reality. In addition, Professor Morgenthau's analysis of international political reality is one which is actually open to serious question.

Considerations of space will not allow testing the author's conception of the nature of international politics in the most satisfactory manner, that is, by reference to empirical data. But it is possible to test Professor Morgenthau's analysis in another way. We can ask whether the analysis is, in its results, clear, unambiguous, and noncontradictory, or whether its application is characterized by open contradictions, ambiguity, and vagueness. Finally, it is possible to examine Professor Morgenthau's strictly moral argument dealing with the "moral dignity of the national interest."

The basis of Professor Morgenthau's analysis of international politics, indeed of all politics, may be found in his use of the concept of power. Here he finds the key that opens the door to the many mysteries confronting the student of international politics. The trouble with political thought in the western world, and especially in America, is traced by the author to the fact that we have attempted to "escape from power." But such escape is not possible since power "is an all-permeating fact which is of the very essence of human existence."[3]

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[1] (New York: Alfred A. Knopf, 1951). Professor Morgenthau's two earlier volumes are *Politics Among Nations* (New York: Alfred A. Knopf, 1948) and *Scientific Man vs. Power Politics* (Chicago: The University of Chicago Press, 1946).

[2] I might add that I am in agreement with a number of Professor Morgenthau's suggestions.

In *Scientific Man vs. Power Politics* Professor Morgenthau writes that "Power, however limited and qualified, is the value which international politics recognizes as supreme" (p. 101).[4] In *Politics Among Nations* we are told that this is a world "whose moving force is the aspiration for power of sovereign nations" (p. 89). And in his latest book Professor Morgenthau deals with the American "illusion" that a "nation can escape, if it wants to, from power politics into a realm where action is guided by moral principles."[5]

Now the statement that international politics is a "struggle for power" may imply only what is quite obvious: that the use of power, organized at the national level, is a highly important means specific to the international political process. But the statement that international politics is a "struggle for power" may further imply, so the author argues, what is not at all obvious: that considerations of power provide the primary, if not the sole, criterion of foreign policy. In international politics, in other words, the one principle that should subordinate all other considerations, especially of a moral nature, is held to be the purely technical one of how power may best be preserved or strengthened. Ambition (desire for power) tempered by prudence (what is possible) is thus the best that can be expected.

Once the role of power is understood, the problem of interests becomes clear. Interests, or national interests, must be defined in terms of power. And the national interest of a particular state's foreign policy must, therefore, be determined primarily, if not exclusively, by the technical considerations of power.[6] Ideals which are not the reflection of the power interests of a state are treated as somehow "unreal," or, in the author's terminology, as "abstract moral principles."[7] Professor Morgenthau, it is true, does not seem to feel the necessity for clearly stating the conclusions that logically follow from his premises. Nevertheless, it is this singular preoccupation with power that constitutes the real characteristic of his approach to international politics.

The interesting results of this political monism call to mind a psychological theory that insists upon interpreting all human behavior as only an expression of egotism. Even altruism is, according to this concept, but a subtle form of egotism.[8] So to Professor Morgenthau morality is merely the defense structure erected by those subject to power against the holders of power; we are urged to believe that consideration of morality is but a subtle method used by the powerless to defend themselves against, and in turn ultimately to gain, power.[9] The fact that a state gives up an imperialistic policy or substitutes a good neighbor policy for that of the "big stick," does not indicate the absence of a desire for power. Instead, these changes simply mean that a state's power is overextended or that a state finds it convenient to substitute one kind of power, political, for another, economic.[10] It is thus easy to see why one of the most meaningful problems that the student of international politics can examine, the difference between a power policy which is and a power policy which is not moral, is irrelevant according to Professor Morgenthau's theory.

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[3] See Professor Morgenthau's article, "The Escape from Power in the Modern World," in R. M. MacIver *et al.* (eds.), *Conflicts of Power in Modern Culture* (New York: Harper and Brothers, 1947).

[4] This statement is not free from ambiguity. If power is limited and qualified, it is not supreme. Precisely the same statement could be made concerning national politics, and we would be just as uncertain as to the importance of power.

[5] *In Defense of the National Interest*, p. 13.

[6] *Ibid.*

[7] For an illustration of this attitude, see *Scientific Man vs. Power Politics*, pp. 71–74.

On the basis of his analysis of international politics in the book under review, the author arrives at the "iron laws," or "elemental truths," of international politics which, in his opinion, determine the behavior of states.[11] And it is at this point that we meet the first glaring contradiction. On the one hand we are given laws which supposedly determine the *actual* behavior of states. On the other hand, there is a most persistent, and at times very effective, exhortation by the author that American foreign policy *ought* to follow these laws, apparently for the reason that it has not always done so in the past. The conclusion is almost forced upon the reader that the laws of international political behavior formulated by Professor Morgenthau are not "iron" laws as he pretends, since there are evidently exceptions to them.

To put the matter another way, the implicit assumption in Professor Morgenthau's conception of national interest is that here we are dealing with something whose objectivity is comparable to the laws of gravitation. Yet it appears that he has written his critical analysis of American foreign policy because he sincerely believes there are altogether too many Americans—especially American statesmen—who do not have the intelligence to see what their true interests really are. Again the question arises, if the national interest is so objective, if it is analogous in nature to gravity, then what is the reason for the repeated failure of statesmen to see what is self-evident?

Granting iron laws of international politics, one would also question why Professor Morgenthau feels so strongly compelled to wage a crusade against what he calls "nationalistic universalism." It is absurd to think that a state will conduct a foreign policy divorced in large measure from considerations of power and guided by considerations of a philosophy, a way of life, or abstract moral principles, once we accept his "elemental truths" of international politics. But this is what states are doing, or else Professor Morgenthau's crusade is meaningless. Caught on the horns of the dilemma that states do act contrary to his laws, yet convinced that they ought not to, Professor Morgenthau oscillates between what states are doing and what he thinks they ought to do, without striking a satisfactory balance.

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[8] It is evident that a psychological theory leading to these results would lose any value it might have as an instrument for the explanation of human conduct. For the statement that all human action is determined by egotism would explain nothing: it is incapable of describing in a meaningful way any differences in human behavior. Professor Morgenthau's analogous thesis that the conduct of states is always determined by the desire for power is at times quite as meaningless.

[9] See *Politics Among Nations*, p. 62.

[10] *Ibid.*, p. 22, n. 2.

[11] For some examples, see *In Defense of the National Interest*, pp. 135, 144, 147, and 154.

We are told that the contemporary struggle is one between power and power, and are therefore urged to forget the "sentimental illusion" that it is a struggle between virtue and vice, morality and immorality, or two ways of life. Yet on occasion there is the reluctant admission that the present conflict can be defined, and in fact is being defined, in these latter terms. For example, in Chapter 2, dealing with the rise of "political religions," Professor Morgenthau states (p. 62):

> Washington and Moscow are not only the main centers of power, they are also the seats of hostile and competing political philosophies. The two super-powers fight for political and military advantage with potential world dominion as the ultimate prize, but parallel to this political and military contest there runs a conflict between two kinds of moral principles, two types of moral conduct, two ways of life.

With this statement probably few students of international politics would disagree; in any event, it is entirely clear. In Chapter 3, however, the writer argues that the "real" issue is one of power, not one of ideological or moral differences. Thus he blames the Administration for "creating and supporting" the popular conception, in reality mistaken, that the conflict between the Soviet Union and the United States appears first of all "as a struggle between two systems of political morality, two political philosophies, two ways of life" (pp. 76, 77).

In Chapter 4, in a section on the American "crusading spirit," we read: "Thus the two wars with Germany and the present conflict with the Soviet Union and China have been widely understood, not in terms of competing and hostile powers or incompatible philosophies and ways of life, but in terms of a struggle between light and darkness, with light bound to drive out darkness by dint of its superiority in virtue and strength" (p. 131). In this passage Professor Morgenthau apparently approves of the interpretation that the conflict is one between "competing and hostile powers or incompatible philosphies and ways of life" but disapproves of the interpretation that it is a "struggle between light and darkness."[12] Yet in the quotation taken from Chapter 3 he had seemed to disapprove of the interpretation that the struggle is between "two political philosophies, two ways of life"—although, in Chapter 2, dealing with political religions, he had said that this aspect is a very important one in the present conflict.

In Chapter 5 we are told that the problem is not a matter of legality and illegality or a "contest between virtue and vice," but a clash "between the foreign policies of two great powers pursuing apparently incompatible objectives" (p. 146). (What these incompatible objectives are is not made clear.) And finally, in Chapter 7, appears the flat statement: "This is not a struggle between good and evil, truth and falsehood, but of power with power" (p. 219).[13]

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[12] Just what the meaning of "light and darkness" is, I do not quite know.

All of these vague and at times openly contradictory statements are resultants of the author's view that states ought to have certain national interests but not others (pursuit of ideologies, "moral crusades," etc.). In order to render the argument effective, he draws an untenable distinction between what is "real" and, therefore, in our interests and what is "unreal" and, therefore, against our interests. One might almost reach the paradoxical conclusion that if we follow Professor Morgenthau and look at international political reality today we find a very "unreal" reality.

What results in contradiction in some passages simply ends in ambiguity in others. One instance of ambiguity is seen in Professor Morgenthau's attempt to reject the claim that ideology and form of government have an important, and at times a decisive, bearing on foreign policy. Applied to the case of the Soviet Union, he maintains the theory, which is probably true, that Soviet ideology does not serve an international but a national purpose. But he further implies a hypothesis which is probably not true, i.e., that Soviet ideology is completely subordinate to what have always been the "perennial interests" of Russia.[14] Applying his analysis to the present conflict, he has us submit to a "simple test" (p. 77):

> Let us suppose for a moment that Lenin and Trotsky had died in exile, the unknown members of a Marxist sect, and that the Czar were still reigning over a Russia politically and technologically situated as it is today. Does anybody believe that it would be a matter of indifference for the United States to see the Russian armies hardly more than a hundred miles from the Rhine, in the Balkans, with Russian influence holding sway over China and threatening to engulf the rest of Asia? Is anybody bold enough to assert that it would make all the difference in the world for the United States if Russian imperialism marched forward as it did in the eighteenth and nineteenth centuries, under the ideological banner and with the support of Christianity rather than of Bolshevism?

But what precisely does this simple test prove? Only that if everything were just as it is today with the sole exception that the Czar still reigned under the ideological banner of Christianity, we would probably react to Russian power in the same manner that we now do. The obvious objection to this simple test is that it proves absolutely nothing about the effects of the Soviet ideology and form of government on the shaping of Soviet foreign policy and Russian "national interests." Is Professor Morgenthau bold enough to assert that such a hypothetical change in ideology and form of government would have no effect upon what Russian leaders consider their "national interests" to be? Can he say that the continued existence of a czarist regime would have resulted in the same dynamism and aggressiveness that characterize Soviet policy today, nourished as it is by the belief in the world historic mission of the Communists? He is actually assuming in this "simple test" that a czarist government under its own ideological banner *would* under present world conditions conduct a foreign policy similar to and as threatening in every respect as that of the Soviets. The best, the very best, that can be said of this test is that it is meaningless. It cannot be proved or disproved, and accordingly is no test at all.

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[13] It would be a different matter if Professor Morgenthau, without denying that the present tension is "real" at both levels, merely maintained that a solution is possible only at the power level. This may or may not be true, but at least it is quite understandable. However, such an admission might require a reformulation of some "laws," an act Professor Morgenthau is apparently unwilling to perform since a reformulation would undercut his supposedly scientific analysis.

[14] Professor Morgenthau's position on this question is outlined in Ch. 3, pp. 69–90. For the statement concerning Russia's "perennial interests," see p. 97.

As we have seen, one of the serious defects of Professor Morgenthau's analysis results from his tendency to deal with national interests as though they were eternal verities, whereas in reality they may be quite unstable and subject to change. He seems to think that national interests are so objective as to be beyond dispute because the facts upon which they are based are objective; and of course, it is true that any foreign policy is based on certain objective facts, such as geography, the existing distribution of power, and so on. Even ideology or national traditions may appear from one point of view to be objective facts. But the important point is that foreign policies are undertaken on the basis of subjective evaluations of these facts. Neither the evaluations nor the totals of the facts are nearly so constant as Professor Morgenthau appears to believe.

In a section entitled "The Conditions for a Negotiated Settlement" (pp. 141–158), Professor Morgenthau deals with the argument that we cannot have a negotiated settlement with the Soviets because they will not observe their agreements. His reply to this argument is that the Soviets will keep their agreements when it is in their interest to do so, and that their attitude "differs only in manner and form, but not in substance, from the attitude all great powers have traditionally taken with regard to international agreements" (p. 143).

Examined from one point of view Professor Morgenthau's statement is ambiguous and tells us very little about the relationship between interests and the breaking of agreements. It may possibly be interpreted to mean that "all great powers," if confronted with a similar situation, will act in a similar manner with regard to international agreements. This would prove to be a very rash claim, however, since it may be refuted by historical fact. Yet the implication may only be that the attitude of all great powers toward international agreements will always be in accord with their national interests, which is to say very little—in fact nothing at all—if the national interests of each great power are not defined.

Apparently Professor Morgenthau is not wholly certain of his own argument, for he goes on to say: "From that iron law of international politics, that legal obligations must yield to the national interest, no nation has ever been completely immune" (p. 144). We are given an "iron law," yet told at the same time that no nation has been "completely immune" from this law. But if some states have been "relatively immune," then the iron law is no law at all.

In any event, the author deduces "but two differences among nations concerning the respect for legal obligations, one affecting the manner of getting rid of burdensome obligations, the other affecting the need for doing so" (p. 144). The first difference is dismissed in a few words. Professor Morgenthau seemingly believes, that, with regard to the manner of getting rid of "burdensome obligations," the difference between a state willing to negotiate over the burdensome obligation and one that simply disposes of it by force is too unimportant a matter to require attention. Such cavalier treatment of so important a question is another result of the nothing-but-power analysis. Even if it is assumed that social reality may be characterized primarily in terms of conflicting interests, arising from an all-pervasive desire for power, the difference between anarchy and a relatively ordered society is to be found largely in the methods by which conflicts are resolved. The objective factors which create the conflicts may still remain. Even the interests, which include the subjective evaluations of these factors, may remain relatively constant. But by the introduction of specific techniques designed to resolve conflicts, other than by considerations of power alone, society in turn creates new interests. The result is a partial change in the evaluation of the nature of conflicts by the participants, for the psychology of interests is itself largely dependent upon the particular method or methods used to resolve conflicting interests. When these considerations are applied to an analysis of international politics, their importance is clear: The difference in the means which states may use in pursuing the same "interest" must be considered a very important, and at times a decisive, distinction between foreign policies, and hence between national interests. Yet Professor Morgenthau says that the difference is only one of "manner and form," not one of "substance."

Concerning the second difference, that is, "the need to violate treaty obligations, a distinction can be drawn between nations pursuing a policy of the status quo and those pursuing a policy of expansion" (p. 144). There is no "need," says Professor Morgenthau, for those states pursuing a status quo policy to violate treaty obligations. Since they are interested in maintaining the existing distribution of power, they pursue a policy disguised in "legalistic" terms; but those states pursuing an expansionist policy "need" to get rid of burdensome obligations. Very little can be concluded from this analysis. It is not even altogether correct regarding the "needs" of status quo and expansionist policies with respect to treaty obligations.[15] But assuming that the analysis could be regarded as correct in this latter respect, it does not in any way illuminate the problem of the nature of national interests. We are not told why an expansionist policy must, or "needs" to, be the national interest of one state, and a status quo policy the interest of another state.

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[15] On more than one occasion it has happened that the need of a status quo policy (in terms of power) is to violate treaty engagements while the need of an expansionist policy is to preserve these engagements. State A, let us say, concludes a treaty with State B. Forming the political basis of the treaty is a certain distribution of power. In time, however, the factual (power) situation existing at the conclusion of the treaty changes, without the latter's violation, in favor of State A. State B, desiring to follow a status quo policy (in terms of power, not law), then needs to violate the treaty. State A, following an expansionist policy, is perfectly willing to let the treaty stand.

One section of Professor Morgenthau's new study of American foreign policy deserves special attention. Under the title of "The Moral Dignity of the National Interest" (pp. 33–39), the author sets out to establish the "moral" superiority of a foreign policy based upon the national interest over one guided by "moral abstractions." His purpose is to demonstrate that the supposed antithesis between moral principles and the national interest "is not only intellectually mistaken but also morally pernicious" (p. 38). There is, of course, some mystery as to how the national interest can have a "moral dignity" if international politics is simply a struggle of power against power, implying thereby that principles of morality do not apply to international politics. But this point need not be pressed and we shall here confine ourselves to the strictly moral arguments.

Fundamentally, the division Professor Morgenthau seems to establish is this. A state's foreign policy may be guided solely by considerations of self (national) interest, or it may be guided by moral principles which are not simply the expression of self-interest, that is, by principles universally binding upon all states. The one position postulates the moral supremacy—or moral sovereignty—of the national interest;[16] the other leads to the assertion of the supremacy of universal (international) moral principles over national interests. Professor Morgenthau's argument for the supremacy of the national interest rests upon two premises, one dealing with the nature of international politics and the other with the basis of moral obligation. His analysis of international political reality, dominated by conflicts of interest and the never-ending struggle for power, has already been discussed. His conception of moral obligation seems to be defined almost strictly in terms of self-interest (pp. 33, 34, 36). We are morally obligated to obey those norms, moral and legal, which secure our self-interests; failing this satisfaction, there is no moral obligation.

Since the actual behavior of man is always determined in some way or other by what he considers to be his interest, Professor Morgenthau's concept of moral obligation amounts to the statement that men ought (i.e., are morally obliged) to behave as they actually do behave. Hence there is no possibility of conflict between man's interest, or his actual behavior, and his moral obligation. (So considered, the whole idea of moral obligation becomes meaningless; there could be no such thing as immoral conduct.)

From this premise it logically follows that in the state the individual has a moral obligation to obey the law only when it is to his self-interest to do so. The same principle applies, *mutatis mutandis*, to states in the international society. But here, Professor Morgenthau says, there is no society organized politically to protect the state's self (national) interests, in particular that of self-preservation.[17] It is therefore excluded that a state should consider itself morally bound by universal moral principles (e.g., observance of faith in treaty obligations), or, for that matter, by rules of international law. In the absence of effective techniques to enforce such principles, many states will, if it suits their interests, violate them on the first opportunity. This means that the attempt to follow universal moral principles under the conditions of contemporary international society is not only politically futile but also morally pernicious, because in doing so a state must sacrifice its own self-interests.[18]

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[16] "A foreign policy derived from the national interest is in fact morally superior to a foreign policy inspired by universal moral principles" (pp. 38–39).

[17] It must be insisted that Professor Morgenthau cannot logically limit national interest to self-preservation. His argument applies, whatever the national interests may be. However, see below, pp. 223–24.

Why Professor Morgenthau even attempts to prove that states are not bound in their mutual conduct by universal moral obligations is somewhat puzzling. The attempt is quite superfluous, since he has already eliminated any possibility of a moral obligation by his definition of this concept. And there are other ambiguities in the argument worth noting. For example, when the author says that a foreign policy based on universal moral principles consists merely of "moral abstractions," he appears to use the term "moral abstraction" in two quite different senses. On the one hand, he indicates that a universal moral principle has no concrete meaning or content and, in this sense, is a moral abstraction. On the other hand, he sometimes calls moral principles abstractions because they "cannot provide rational guidance for political action" (pp. 33–35).

The first meaning given to "moral abstractions" must be rejected. A foreign policy may be based upon universal moral principles which do have a definite content—the moral principles faithfully to observe promises made to others, not to resort to aggressive war, and many others. There is empirical proof that an awareness of the existence of universal moral principles having a definite content exists. It can be seen in the almost daily protestations of foreign offices that their conduct, but not that of their opponents, is in conformity with recognized principles of international morality. That these principles are not very effective in regulating the conduct of states is still another question.

The argument that universal moral principles are abstractions which cannot provide rational guidance for political action is logically irrelevant to Professor Morgenthau's strictly moral argument. The meaning here is that such moral principles simply have no chance of being realized in international politics, for their content is too far divorced from international political reality. Thus Professor Morgenthau states in this connection that "a foreign policy guided by moral abstractions, without consideration of the national interest, is bound to fail; for it accepts a standard of action alien to the nature of the action itself" (pp. 33–34). It is not that the moral abstraction is somehow "unreal" and in this sense abstract. Professor Morgenthau testifies to its reality in his criticism of American foreign policy. It is not even that the principle is devoid of a definite content. The only clear meaning that Professor Morgenthau's talk about moral abstractions can possibly have is his claim that only a policy guided by self-interest, defined in terms of power, can hope to be successful (in this context "success" presumably means the preservation of national interests while at the same time avoiding war). This claim may or may not be true; but its validity is a matter for empirical verification, not moral judgment.

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[18] This would appear to be the meaning of Professor Morgenthau's remark when, paraphrasing Hobbes, he states that "the state creates morality as well as law and . . . there is neither morality nor law outside the state" (p. 34). However, there is some difficulty in Professor Morgenthau's position on this point since he apparently does not wish to identify morality with law, as did Hobbes.

How consistent is Professor Morgenthau in applying his premises establishing the moral supremacy of the national interest? It must be understood that once we deny the binding character of international moral obligations and assert the moral supremacy of the national interest, no action on the part of the state can be considered—from the viewpoint, of course, of that particular state's national interest—to be immoral. Thus the logical consequence of asserting the moral supremacy of the national interest is to assert the moral inferiority of all other national interests. It is not possible to assert the existence of a kind of international moral "pluralism"—that is, the existence of various national interests with equal moral status—in view of the fact that equality of moral status can be conceived only by asserting the existence of a moral order superior to the national interests of states; one which, in effect, provides such equality. As we have seen, Professor Morgenthau emphatically rejects this latter position.

If the national interest is considered the highest moral principle, and an international society with a superior moral claim over national interests a chimera, then one automatically projects the national moral standard onto the international plane. Yet Professor Morgenthau refuses to accept what in practice is the clear result of his theory. Of the "crusading moralist" he writes (p. 37):

> He projects the national moral standards onto the international scene not only with the legitimate claim of reflecting the national interest, but with the politically and morally unfounded claim of providing moral standards for all mankind to conform to in concrete political action. Through the intermediary of the universal moral appeal the national and universal interest become one and the same thing.

Contrary to Professor Morgenthau's assertion, however, it is not through the intermediary of the universal moral appeal that the national and the universal interest become one and the same; the two become identical when there is insistence upon the moral supremacy of the national interest. Then, depending again upon your point of view, there are as many universal moralities—or moral sovereigns—as there are politically active nations. In other words, Professor Morgenthau's statement that the attempt to provide moral standards for all mankind to conform to is "morally unfounded" hardly makes sense, once we accept his initial premise. One speaks of an action's being morally unfounded only by accepting the existence of a moral order which provides that the attempt to impose moral standards on all mankind is unfounded.

It may be said that this criticism is unfair since Professor Morgenthau implies at times that by national interest he has in mind, from the point of view of morality, only self-preservation. This is not entirely consistent with his initial premise concerning the basis of moral obligation, but even if it is accepted there is legitimate reason for doubt. Following a statement on self-preservation as an overriding moral obligation, we read: "In the absence of an integrated international society, the attainment of a modicum of order and the realization of a minimum of moral values are predicated upon the existence of national communities capable of preserving order and realizing moral values within the limits of their power" (p. 38). Is this a suggestion that what is politically well-founded is also well-founded morally? Does Professor Morgenthau mean that if it were within our power to enforce moral standards on all mankind, the action would then be morally justified? At the close of his book he writes: "Remember that no nation's power is without limits, and hence that its policies must respect the power and interests of others" (p. 242). Here again it is difficult to separate political expediency from moral command. Assuming, however, that he has in mind only self-preservation, then he is telling us again what the national interest ought to be—and it must be pointed out once more that Professor Morgenthau has no monopoly in evaluating the content of the national interest. Others may think, as many do, that this is the American Century, and that it ought to be America's national interest to make the world over in its own image. Professor Morgenthau may not like the possible consequences of his own argument, but it is difficult to see how they can be avoided.[19]

ROBERT W. TUCKER.

San Francisco State College.

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[19] I emphasize the word *possible.* It is true that Professor Morgenthau's entire argument can logically lead to different consequences, but the point is that it can lead to these.

BOOK REVIEWS

American Diplomacy, 1900–1950. BY GEORGE F. KENNAN. (Chicago: University of Chicago Press. 1951. Pp. ix, 146. $2.75.)

I

This is not a book in the ordinary sense, but a collection of lectures and magazine articles which, it is quite apparent, were not intended as parts of a single book. There is much that is interesting and stimulating, including information regarding matters on which the author should be an authority; but it is disappointing that we do not have more of a rounded and considered book on foreign policy from George Kennan after his years of experience as a diplomat and global planner, followed as they were by a period of detached contemplation.

His lectures on our diplomacy in the first fifty years of this century add up to the net conclusion that it was all wrong. He ends his lectures with a warning against any multilateral, legalistic or moralistic foolishness such as the United Nations efforts or kindred ones, and makes a plea for complete reliance on old-fashioned diplomacy. By diplomacy he apparently means the dictionary concept, "Dexterity or artfulness in securing advantages without arousing hostility; address or tact in conduct of affairs." His lectures do not explain how this new country, forced by circumstances to take an increasingly important place in the world in the last half-century, and blundering at every step, became the most powerful nation on earth during that period, and wound up with nearly one-half the world's income and the highest standard of living of any nation in history. Nor does he explain our increasing state of insecurity and uncertainty during the period he was in charge of policy planning. Was it the failure of our diplomats to carry out the plans, or was it because we did not have good plans?

In one of the two magazine articles on Russia Kennan sets forth the containment theory which is proving impossible to maintain; in the other article he concludes that if we are good enough and wise enough at home, everything may come out all right. It is fortunate that he does not show his hand too clearly to the Russians, who will be studying these articles with a microscope to see how he will use "dexterity or artfulness without arousing hostility" in his dealings with them as our Ambassador.

I read this book on the way to Paris to serve as a delegate to the United Nations and learned much that prepared me for some of the disappointments and disillusionments which I experienced in the UN. I understand, however, that Mr. Kennan has not had any experience in multilateral activities such as those of the United Nations. I doubt if he understands the vigorous bilateral activities that are necessary before and during a session of the United Nations Assembly or if he appreciates the absolute necessity for planning and participating in multilateral operations that are far more efficient and effective than those we now have. I was impressed at Paris with the lack of cohesion between our bilateral and our multilateral efforts. Did someone plan it that way?

As a Republican member of the loyal opposition in Congress, I agree with many of the criticisms Kennan makes of our recent foreign policy. Some of his analyses, which are new to me, are informative and provocative. He has not, however, given the whole history, or a balanced outline, of American diplomacy in the last fifty years. In any case, George Kennan, with his fine mind and unparalleled opportunity for observation, can write a better book about how we got here and where we go from here. I hope he does.

John M. Vorys.

U. S. House of Representatives.

II

Hardly more than a decade ago, our foreign policy was still engulfed in sterile debate between the advocates of isolationism and internationalism. In that unhappy period of polarized public opinion, a detached and caustic inquiry, such as Kennan's, would have been largely wasted; the effort would have gone unnoticed or, at worst, the judgments would have been distorted in support of one extreme or the other. That the same cannot be said today is a welcome indication that we are emerging from adolescence in matters relating to foreign policy.

The balance-of-power point of view, which is that employed by Kennan in evaluating American policy of the past fifty years, is one which, through the misfortune of being identified with militarism, arouses a certain antagonism. Yet Kennan's evaluation of the record and his prescription for American policy in relation to the Soviet Union (contained in two articles appearing originally in *Foreign Affairs* and reprinted as an appendix to the present volume) do not place him in the get-tough-and-no-nonsense school. Seeing nothing of positive value, but only chaos compounded, as the result of two world wars, he finds no remedy in a third. Kennan clearly perceives and describes with penetrating effect the conspiratorial character of the Soviet regime. He would not, however, challenge it directly, but would rely on inner corrosion, and more particularly on the crisis of leadership after the death of Stalin, to bring about a more tolerable situation. Containment, yes; and defense against the lashings of the Russian giant in the throes of internal crisis. But nothing on our side which invites another repetition of Armageddon.

The implication in Kennan's position is that to use legal and moral principle as the chief determinant of foreign policy is an unwise and dangerous thing, for justice is never more elusive than when made a direct object of policy. The objective should be, not moral excellence, but an equilibrium of forces. If a critic were to pronounce this amoral, or even, perhaps, immoral, Kennan's reply would be that it is enough for the United States to pass judgment on its own motives, keeping them free of undue self-regard, without basing its relations with others on an estimate of their goodness or badness.

As a case in point, Kennan cites at length American advocacy of the open door and the integrity of China. Serving no important material interest of the United States, it was a moral judgment of the actions of the Western Powers and Japan in the face of a condition in China which did not permit of hands-off; it was a pronouncement, moreover, which we were content to make with no intention of backing up. A Far Eastern policy guided less by sentimentality and with more regard for power realities might, Kennan suggests, have avoided war with Japan—or at least a prosecution of the war such as created a vacuum for the Soviet Union to fill.

The First World War too called for a policy designed, not to punish and crush the offender against law and morality, but to restore equilibrium in a Europe blindly bent on self destruction. It was just such a policy, Kennan might have pointed out, which House sought to promote. It was, of course, the object, or, at least, would have been the effect, of Wilson's endeavor to achieve peace without victory. Had such an objective been clearly defined and consistently pursued, Kennan suggests that the following might have resulted:

> you could have refrained from . . . picturing your effort as a crusade, kept open your lines of negotiation to the enemy, declined to break up his empires and overthrow his political system, avoided commitments to the extremist war aims of your allies, retained your freedom of action, exploited your bargaining power flexibly with a view to bringing its full weight to bear at the crucial moments in order to achieve the termination of hostilities with a minimum prejudice to the future stability of the Continent.

Kennan is alive to the criticism that he is reconstructing history on the basis of only one factor—the American—in a highly complex equation, and he endeavors to meet it. Mainly, however, he is concerned with the objection that American public opinion, given to judging international politics in the same moral and legal framework employed in a democratic context at home, is not readily adaptable to a diplomacy of maneuver and moderation. He is prepared, in fact, to concede that his prescribed policy for the First World War was not "within the realm of practical possibility from the standpoint of domestic realities." But history, he insists, "does not forgive us our national mistakes because they are explicable in terms of our domestic politics." Pointing out that the margin for error is narrower than ever before, he is seeking the lessons of experience.

Kennan does not believe that public opinion and the ballot, however successful in a democratic setting, can be expected to bridge the chasms that exist between peoples of widely differing cultures and economies. It follows that the art of diplomacy, although it has been made more difficult by the mass organization and mass opinion which characterize modern politics, has not been outmoded. The values of democracy must be preserved, but if it was democracy which "stopped us from being more effective than we were [in the conduct of our policy in the First World War] . . . let us recognize it and measure the full seriousness of it—and find something to do about it."

Kennan offers an empirical way of thinking about international politics which, eschewing ideological constructions, is based on searching analysis of actual experience. This point of view came naturally to the aristocrats who conducted British policy in the nineteenth century. That a professional diplomat should look with nostalgia on that worthy example of his art is, of course, understandable. But in an influential official of the world's most powerful government, it is also reassuring.

EDWARD H. BUEHRIG.

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III

"The basic concepts underlying the conduct of the external relations of the United States," which the organizer of the Policy Planning Staff of the Department of State sought to identify in these historical studies, are not too clear when he is through. A neat, incisive style enables him to stud his pages with gems of political prescience, but no counterpart of the "fundamental principles" of July 16, 1937, or even the "guiding principles" of the President of October 27, 1945, emerges from these six lectures and two reprints from *Foreign Affairs*. The lectures analyze the episodes of three wars, a policy commitment and one situation, with further observations on "Diplomacy in the Modern World." In seeking the theoretical foundation of our foreign policy, the author seems to this reviewer to have unduly disregarded some of the traditional policies of American national interest that instinctively inform and control action.

Mr. Kennan finds that each of his chosen episodes exhibits American "mistakes," sometimes on our own, sometimes by misapprehension of the international situation. Typically, he finds that we entered the Spanish war for subjective and emotional reasons, conducted it badly on plans of dubious origin, and ended it with the impulsive acquisition of foreign territory. But we should not reproach our forebears, "for we are poor judges of their trials and tribulations." (There are similar hedges in other lectures.) Here there is no mention that national safety and Caribbean order were involved and no inkling that events forced us belatedly into a role as a "great power," which we unwittingly were. Mr. Kennan implies that the "anti-imperialists" of the time were more nearly right; if so, one who knew them can testify that, aside from diligent vocality, their influence was approximately nil.

To this reviewer the least convincing lecture is "Mr. Hippisley and the Open Door." The author relies on Griswold's embellishment of Tyler Dennett's pet piece of research and disregards the fact that freedom of trade got into American blood as early as the Boston Tea Party. The idea was behind opposition to the British navigation acts and to Napoleon's paper blockade and found expression in the most-favored-nation clause. Hippisley called Rockhill's attention to conditions which concerned us, and Hay's note of September 6, 1899, expressed an old American thesis and was aimed at an evolving situation in the American interest. The territorial integrity circular of July 3, 1900, was quite separate, despite Mr. Kennan's historians. John Hay was neither a dope nor a dupe, though both his originality and success became exaggerated.

The concepts of foreign policy are abstract; the conduct of foreign policy is a concrete application of those ideas to specific conditions comprised of a series of situations. Mr. Kennan's technique of adding up the accumulation of historic factors as a basis for drawing a moral vivifies a lecture but is not a happy way to apply policy theorems to a body of facts. A situation in foreign relations emerges as a large problem on which a decision on some specific phase of it must be taken immediately. Theoretically, that decision can go toward any degree of a circle's 360; actually, it must accord with the intrinsic policy attitude of the foreign office and the public atmosphere of the moment. The first decision gives direction to the next; the actions of other states and events modify intentions and possibilities. The end product is a conglomeration of such fixed points, measurably different from any preconceived determination. To appraise the result as a unit in the vacuum of subsequent conceptions may be history, but it is an analysis of policy outside of a controlling context. Mr. Kennan vicariously recognizes this pattern, but does not apply it.

The most serious fault of our policy, Mr. Kennan says, has been the "legalistic-moralistic approach to international problems." It is true that Americans inject moral values into everything, and Mr. Kennan neatly illustrates the fact. In his episodes he appraises political acts as mistakes or failures and offers unguaranteed alternatives by way of morals to the story. As a matter of fact, a moral obsession is an inextricable part of a democratic curiosity or responsibility in foreign affairs, of which few people at the time know the details or the relevant facts. Mr. Kennan pays just tribute to the dependability of the people of a democracy on foreign-policy questions over the long term, but finds the short-term record of public opinion going astray into areas of emotionalism and subjectivity of little service as guides for national action. In sundry places he recognizes that the moral reaction is a short-term phenomenon when the public perceives a national interest. Having no seasoned knowledge of the situation and lacking accurate facts even more than officialdom, a citizen has no recourse first-off but to express his concern in the common currency of moral terms. Those who confine themselves to a smattering of facts seldom get away from the strictly moral criterion in their opinions, which, being simpler, travels lightly and goes farther than more informed and fully balanced judgment. The overtones of American political morality become tame in the presence of knowledge and comprehension, both of which take time to disseminate. I do not gather from Mr. Kennan's frequent wry references to morality that he really fears that it interferes with the national interests, or even runs counter to them.

Moralism is more of an effort to identify the national interest in the absence of knowledge of the factual problem than a disregard of national interest. Mr. Kennan does not stress its effect in providing an escape clause from responsibility, the avoidance of which in the 1900–50 period was an American characteristic. We were a "great power" in spite of ourselves and resented the position when we had to act our size. In the early 20's international statistics demonstrated that the United States (7 per cent of the world's area and 6 per cent of its population) alone accounted for 40 per cent of both the world's production and its consumption; ever since, the element of responsibility (whether we participated or held aloof) has been a condition of national interest. It was not until we linked power and responsibility in preparing for the Charter of the United Nations that we accepted fate.

Mr. Kennan thinks that "the legalistic approach to international affairs" ignores political problems and the deeper sources of international instability. Since the Massachusetts Constitution of 1780, Americans have been emphatic in their policy, including their constitutional system, in having a "government of laws and not of men," and no policy planning is likely to overturn the idea within foreseeable decades. But here Mr. Kennan surely confuses "legalism" with law that sets standards of action, and it would seem to be the business of diplomacy as a method to apply abstract principles to concrete problems. Mr. Kennan's last lecture gives a definite impression of a concept of policy pitting one segment of power against another, for the handling of which law is said to be too inflexible and in which the diversity of states precludes the effectiveness of an international juridical regime. Nowhere in these lectures does one find any consideration of the economic factor or a reasoned examination of the multilateral frame of standards in which states now live.

American Diplomacy, 1900–1950 is a notable commentary, full of the wisdom of experience. Mr. Kennan's final advice to abandon the delusion of "total victory" in the conduct of foreign relations and to pursue modestly the national interest, with decent motives, without rancor or arrogance points the way he would have us go. *Deus vult.*

Denys P. Myers.*

Washington D. C.

* The writer is alone responsible for the views expressed in the foregoing review.

Power and Society; A Framework for Political Inquiry. By Harold D. Lasswell and Abraham Kaplan. (New Haven: Yale University Press. 1950. Pp. xxiv, 295. $4.00.)

This book is the result of the wartime collaboration between the most eminent disciple of the Chicago school of political science and one of the most promising younger adherents of logical positivism. It is, to quote the authors, "a by-product of the Research Project on Wartime Communication" (p. ix), carried on in the Library of Congress. The project concerned itself primarily with the problem of mass communication. The participants in this project had to review the then-current state of knowledge of political communication; the present book contains the results of that review.

When the book was written in 1945, it had a limited pragmatic purpose; it was a tool for a specific practical task. Yet in 1950, when the book was published, the authors endowed it with a significance far transcending its original modest purpose. "This is a book of political theory, not an analysis of the contemporary or impending political situation" (p. ix). With this monumental sentence the book starts out. The authors do not fail to make clear what kind of political theory it is which they think their book presents. After some critical remarks addressed to the German *Staatslehre* and to de Tocqueville and Bryce, they find themselves "much closer to the straightforward empirical standpoint of Machiavelli's *Discourses* or Michels' *Political Parties*" (p. x). In the authors' own words, "The present work is an attempt to formulate the basic concepts and hypotheses of political science" (p. xi). Its purpose is "to provide a framework for political science" (p. xiii). The authors, then, leave no doubt about the standard which they want the reviewer to apply to their work. They present it, not as a by-product of wartime research for a specific purpose but as a major contribution to political theory. If the authors had asked us to evaluate the usefulness of this book as a tool for its original purpose, that is, to acquaint a group of research workers with the first elements of political science, we would have had to write one kind of review. Since they ask us to look at it as a major contribution to political theory, our standards of evaluation must obviously be different and more exacting.

The book consists of a series of definitions and propositions, with commentary, under the following headings: persons, perspectives, groups, influence, power, symbols, practices, functions, structures, process. While this review is concerned primarily with the claim of the book to be a major contribution to political theory, it might not be amiss to ask oneself what the book's definitions and propositions contribute to knowledge. We open the book at random and read on page 13 the following definitions: "A *personality trait* is a kind of act characteristic of a self. The *personality* is the totality of the personality traits pertaining to an actor. A *person* is an actor characterized as to personality." This is hardly more meaningful than Gertrude Stein's "a rose is a rose is a rose," and does not have even its primitive phonetic charm. On page 154 we read the following proposition: "Acquisition and maintenance of leadership is a function of the prestige of the leaders." On page 187, the rulers are defined as "those supreme in the body politic." On page 218, information is conveyed in the form of the following definition: "*Autocracy* is the form of rule in which the weight of power is chiefly in the hands of one person; *oligarchy*, in the hands of a group of rulers; a *republic*, distributed throughout the domain." On page 234, democracy and despotism are defined as follows: "A *democracy* is a libertarian, juridical commonwealth; a *despotism* is a nondemocratic rule." To this reviewer, at least, it seems that these definitions are either platitudinous, circular, or tautological, and at best convey information which Aristotle would have taken for granted.

However, what makes it impossible to the writer to accept the authors' claim that the book makes a major contribution to political theory or that it even belongs to that field is a thorough misunderstanding of the nature of political theory and of its relationship to empirical research. The authors believe that political science can be "straightforward empirical," and that Machiavelli and Michels so conceived it. We shall not deal here with the case of Michels. But do the authors not recognize the fact that Machiavelli was a political philosopher steeped in the ancient tradition, that his empirical inquiry is enclosed within a philosophical framework resting upon the pillars of *fortuna* and *virtù*, concepts which come straight from classical antiquity, and that his work, far from being "straightforward empirical," is a philosophic protest against the scholastic tradition in an attempt to reassert the political philosophy of the Ancients? Are the authors unaware of the fact that in this sense Machiavelli is no more an empiricist in politics than Raphael and Michelangelo are naturalists in art? Their purpose, as that of the Renaissance as a whole, was philosophic and not merely descriptive. Are the authors unfamiliar with the literature which has uncovered the philosophic system behind the seemingly empirical surface of Machiavelli's writings?

One error, perhaps inconsequential in itself, but characteristic of the authors' method, will illustrate the point. The authors express their criticism of the metaphysical speculation of the "German *Staatslehre* tradition, so influential at the turn of the century" (p. x). As an example they quote J. K. Bluntschli and give as the date of his *Theory of the State* the year 1921. It so happens that Bluntschli was a Hegelian who died in 1881 and whose work, referred to by the authors, was published in 1851 and 1852. What the authors cite is the third edition of the English translation, the first of which appeared in 1885 (the year of the last German one), the second in 1895. Neither Bluntschli's organismic brand of Hegelianism nor metaphysical speculation in general had any considerable influence on German political thought at the turn of the century, having been replaced by the theories of social and legal historians such as Gierke, or of constitutional and comparative lawyers such as Laband, Gneist, and Jellinek. In 1921 Bluntschli and his metaphysical speculations were a mere historic recollection, and the epic struggle between Kelsen, the philosopher of the pure theory of law, and his politically oriented enemies provided the great issues in political science.

The authors are not only careless about the uncontestable facts of political theory; they are also given to sweeping judgments barely supported by evidence. Let us examine the following statement: "Many of the most influential political writings—those of Plato, Locke, Rousseau, the *Federalist*, and others—have not been concerned with political inquiry at all, but with the justification of existent or proposed political structures. We say such works formulate *political doctrine* rather than propositions of *political science*" (p. xi). What is correct in this statement is that the great writings of political theory had as their ultimate purpose the justification of a certain political system. This is true of Plato and Locke, as it is of Machiavelli and Michels. There have been thinkers who were "not concerned with political inquiry at all," as there were and are those who are concerned with nothing but political science conceived in "straightforward empirical" terms; most of them for that very reason have been, and will be, forgotten. What makes it today worth reading Plato, Locke, Rousseau, the *Federalist*, and above all Aristotle (whom the authors have omitted from their list) is exactly that, within the framework of a political doctrine, they have given us the results of political inquiry in the form of propositions of political science, more profound and more illuminating by far than anything that a "straightforward empirical standpoint" has to offer. The authors are unable to see that a political science enclosed in nothing but an empirical framework is a contradiction in terms and a monstrosity. In the reviewer's opinion, the intellectual barrenness of the present work, its logical aimlessness and diffuseness, and its excessive concern with verbal artifices are the results of this fundamental misunderstanding.

Every student approaches the political scene, whether as a thinker or as an actor, with certain intellectual and moral preconceptions regarding it. His thoughts and actions are determined by those preconceptions. In other words, he looks at the political scene from a perspective which is determined by his philosophy and which he will share with some but not with other observers. Whether or not he approves of it, whether or not he realizes it, he is a political philosopher before he is a political scientist. All observers of politics, then, bring to their observations a framework of political philosophy, however inarticulate and fragmentary it may be. It is only within such a philosophical framework that an empirical framework of political inquiry can have meaning and that empirical inquiry can become fruitful. Of the realization in theory and practice of that necessary relationship between political philosophy and empirical inquiry, Aristotle provides the unrivaled example.

Our authors have subjected Aristotle to a kind of content analysis and have found, on the basis of a sample of 300 sentences, that the proportion of "political philosophy (demand statements and evaluations) to political science (statements of facts and empirical hypotheses)" (p. 118n) is 25 to 75. We shall not compete with the authors in a mechanical exercise of this kind and shall not even raise the question as to whether the 300 sentences chosen were "representative samples." We only call attention to the basic proposition that in politics empirical inquiry without a philosophic framework must needs be blind, as political philosophy without empirical verification must needs be wholly speculative. To have understood this makes Aristotle a great political scientist, regardless of the quantitative proportions of different kinds of statements in his work.

We have said that all men dealing with the political realm bring of necessity to their field of inquiry or action a political philosophy, and our authors are no exception. Their philosophy is that of freedom (pp. xiii–xxiv). Yet the difference between the layman and the dilettante, on the one hand, and the political scientist worthy of the name, on the other, is determined by whether the individual has made his political philosophy articulate and whether he has brought it into organic relationship with his empirical inquiry. In this respect all the great political thinkers of the past, from Plato and Aristotle onwards, stand on one side; our authors, together with many academic political scientists of the day, stand on the other. The latter take the democratic values of freedom for granted and do not ask themselves what the content of those values, and what the relations among those values and between them and other values of a non-democratic character must be under the conditions of the contemporary world. Nor are they aware—and they cannot be, in view of their preconceptions—of the necessary relationship between those questions of political philosophy and the framework and content of empirical political inquiry. As their political philosophy is inarticulate and fragmentary, so their empirical inquiry is bound to be without direction and barren of meaning.

There is an element of tragedy in the spectacle of two superbly endowed minds failing so thoroughly in spite of great ability and great effort. Yet that tragedy is not so much the tragedy of two men as the tragedy of political science and of philosophy in America. For as Mr. Lasswell is the product of a school of political science which was, if not hostile, in any case indifferent, to the necessary contribution of political philosophy to empirical inquiry, so Mr. Kaplan is the product of a school of philosophy which sees in the history of philosophy primarily a history of errors. Our authors are among the most gifted representatives of schools which at present ride the crest of the wave. Yet in truth they represent an obsolescent point of view. This book perhaps constitutes the most extreme, and therefore self-defeating, product of the fundamental errors of those schools. It may well contribute to their demise by virtue of its own absurdity. There is already at work—in Chicago as elsewhere—a strong reaction to the "straightforward empirical standpoint" of our authors. It is true that Mr. Lasswell and Mr. Kaplan don't know it yet. The research foundations don't know it yet. The professional organizations don't know it yet. But an ever-increasing number of able and vigorous thinkers do know it.

HANS J. MORGENTHAU.

University of Chicago.

The Policy Sciences; Recent Developments in Scope and Method. EDITED BY DANIEL LERNER AND HAROLD D. LASSWELL. (Stanford: Stanford University Press. 1951. Pp. xiv, 344. $7.50.)

This is not an easy book to read. It is not, however, intended for the general public but for the relatively small group responsible for producing ideas and data useful in the making and execution of major policies. To that group the reviewer can think of no book produced in the last generation that is likely to be more useful.

Charles Easton Rothwell, in the "Foreword," recalls General Omar Bradley's apprehensions about "a civilization whose fumbling efforts to resolve the problems of human relations are in such tragic contrast with its mastery over the inanimate." This symposium by leading American social scientists gives encouragement to the belief that these efforts are becoming less fumbling and that the gap between "nuclear giants and ethical infants" in our age may be reduced.

The symposium is divided into three parts. The first, entitled "Scope and Focus," includes articles by H. D. Lasswell on the policy orientation and world organization, and articles delineating the orientation of social psychologists (Ernest R. Hilgarde and Daniel Lerner), sociologists (Edward A. Shils) and cultural anthropoloists (Margaret Mead and Clyde Kluckhohn). These expositions make clear the best-substantiated opinions of modern social scientists about the relations of man and society, personality and culture, national and human interests, and the conditioning of human behavior. These opinions, always subject to correction and revision with the progress of investigation, provide the basis for conceptual systems which policy makers and executors should have in mind. Especially important has been the study of the dynamics of primary groups, the meaning of "national character," and the trend toward the "garrison state" in a shrinking and unorganized world.

Part II, entitled "Research Procedures," contains articles expounding the use of probability methods (Hans Reichenbach), mathematical models (Kenneth J. Arrow), methods of classification, typological description, and index formation (Paul F. Lazersfeld and Allan H. Barton), the significance of communication patterns (Alex Bavelas), and the evidential value of interviewing procedures (Herbert Hyman). These expositions indicate the extent to which social scientists have utilized, with due adaptation to the nature of their materials, the methods of natural science. Especially important have been the efforts to quantify, to develop hypothetical models, especially "developmental constructs," to utilize "operational" definitions and indexes based on "observational standards," and to specify values.

Commenting on the great differential in the contributions of the various social sciences since World War I, characterized as "a turning point in the history of the social and psychological sciences in the United States," Lasswell accounts for this differential as follows: "The disciplines which possessed quantitative methods were the ones that rose most rapidly in influence" (p. 5).

Mathematical and typological models are considered, and especial attention is given to models based on a combination of the analysis of trends and of values to picture a possible future, the probability of which can be continually estimated as time moves on. In this connection the "developmental construct" appropriate to a short period is contrasted with that appropriate to a whole epoch. "It is apparent," writes Lasswell, "that the élite of 1917 in Moscow can be called the élite of the eruptive center of our *time*, but it is very doubtful whether the pattern then prevailing in Moscow has many elements identical with the world revolutionary pattern of our *epoch*" (p. 12).

We are informed that the attitudes of pragmatism (John Dewey) and logical positivism (Rudolf Carnap) are natural for a policy scientist "more interested in evaluating and reconstructing the practices of society than in his private ratiocination about the higher abstractions from which his values are derived." Consequently there has been a "de-emphasizing of much of the traditional baggage of metaphysics and theology" (p. 12). Observation of human behavior, of cultural patterns, of values in action, of personality structure provides the basis for concepts and indexes useful in social science. In this identification of useful "truths" with generalizations verifiable by observation, social science resembles natural science, but because of the "feed-back" of the developing science itself and of policies generated by it upon human behavior, values, and relations, the phenomenon of "index instability" has to be reckoned with. The distinction between fundamental and applied science is less applicable than it is in the realm of "natural science." The meaning of key terms of the policy sciences depends not on a relatively persistent order of nature but on a changeable order of opinion. Continuous surveys are therefore necessary to keep "operational indexes" properly calibrated (p. 13).

Policy implies action to achieve ends, and ends find their justification in a system of values whether hierarchically or competitively organized. Applied sciences dealing with natural phenomena such as medicine, agriculture, and engineering rest upon value assumptions. Health, sufficient food, and improved machines and constructions are considered good without argument. A particular applied science often neglects to state the conditions under which acceptance of the value on which it rests is justifiable and to indicate the relation of this value to others in case there is a conflict, as for example if improvements in health so increase the population that the per capita food supply is reduced, or if productive forms of technological exploitation are bad for the health of the workmen. With the social scientists, such conflicts of values and the relativity of all values to conditions is the essence of the problem. The social scientist should be clear that in accepting certain values in a given situation he rejects or qualifies the application of others in that situation. If his ultimate value is the maximization of human dignity in theory and fact throughout the world, as these writers assume, claims of special advantage for particular races, classes or nations are rejected or subordinated. In this situation explicitness about the values postulated in a particular discussion and their relation to one another is of the utmost importance. Rothwell in his "Foreword" expresses the opinion that replacement of "the confusion and doubt of this mid-century with justifiable confidence that it is within our power to attain world peace, universal well-being, and individual self-realization will depend in part upon how rapidly the policy sciences develop and how widely they are accepted and used" (p. x).

The final part of the book deals with "policy integration." The role of expectations in determining economic decisions (George Katona), the utility of the interview survey in policy formation (Rensis Likert), the effectiveness of psychological warfare (Hans Speier), the role of the natural sciences in policy formation (Douglas M. Whitacker), and the importance of the social scientists *in esse* and *in potentia* (Robert K. Merton and Daniel Lerner) are examined. It would be tempting to analyze each of these suggestive discussions, but the reviewer must content himself with noting Hans Speier's comment on the fallacy frequently entertained by democratic propagandists of "disregarding the differences in political structure between the regimes under which they and their audiences live" (p. 258). Speier's article indicates the many difficulties in the conduct of transnational propaganda and the probability that it may be useless, or worse than useless, unless based upon a careful analysis of the audience, of the attitudes and capabilities of each element of that audience, of the policy and action it is designed to support, and of the conditions which the audience faces and believes it faces at the moment the propaganda is launched.

The term "policy sciences" is intended to differentiate the orientation of this volume from that of "the behavioral sciences," "social science," and "political science." The "policy sciences" are defined as "the disciplines concerned with explaining the policy making and policy executing process, and with locating data and providing interpretations which are relevant to the policy problems of a given period" (p. 14). The "policy sciences" might be regarded as the applied sciences in the field in which the "behavioral sciences" are the pure or fundamental sciences. The behavioral sciences seek to produce generalizations of predictive value apart from human manipulation, while the policy sciences seek generalizations of control value. The "behavioral sciences" are therefore interested in discovering persistent relations or correlations, especially relations of cause and effect, irrespective of human utility, while the "policy sciences" are interested in discovering means to ends or procedures for the best solution of problems which are, at the moment, important.

The "policy sciences," therefore, include studies of the "policy process" involving the resolution of group controversies, the appraisal of goals, and the making of decisions. This type of study is the primary one of "political science," though the scope of this field has customarily been narrowed to include those problems as faced by government agencies and, at the same time, widened to include public law. The policy sciences, however, include also surveys and digests improving the concrete content of the information and interpretations available to those who make and implement policy. They, therefore, include data in the field of any of the natural and social sciences, so far as it is relevant to the solution of a particular problem.

The term "social science" may differ from the term "behavioral sciences" in that it implies a primary orientation towards society rather than toward the individual, and in that it includes the manipulative as well as the contemplative orientation. The term "social science" is also broader than the term "policy sciences" in that it does not confine itself to important problems of the period. But it is narrower in centering on human and social relations to the neglect of data of the natural sciences relevant to contemporary problems of social policy.

Whether the term "policy," used "to designate the most important choices made either in organized or private life" (p. 5), will prove superior for scientific orientation to the term "planning," which is also "a systematic attempt to shape the future" (p. ix), remains to be seen. "Policy" perhaps carries more suggestion of action than does planning, and also more suggestion of relativity and flexibility. It may, therefore, be more suitable for use by those who espouse democratic values than is the term "planning" which, in the contemporary context, carries a certain flavor of absolute values and totalitarianism. It is easier, for example, to say that government policy supports freedom of enterprise and freedom of opinion than to say that government plans free enterprise and free opinion.

The book is valuable in that it projects an orientation which may prove of great value, in that it presents the most advanced thinking in fields of major importance, in that it includes numerous suggestions stimulating to research, and in that it provides bibliographical references in footnotes and a twenty-six page list of books and articles useful for further investigation in the fields it touches.

The main criticism which occurs to the reviewer is that which normally must be directed at any symposium. The organization is not always clear, and the viewpoint is not always consistent. The expositions by Rothwell and Lasswell in the "Foreword" and the first chapter are designed to contribute unity to the volume, but their unifying concepts were not always in the minds of all the contributors. This fault, however, may be considered a virtue. The discovery of some inconsistency in ideas promotes thought. The book should be on the shelves of all professional social scientists.

QUINCY WRIGHT.

University of Chicago.

The Meaning of Shakespeare. BY HAROLD C. GODDARD. (Chicago: University of Chicago Press. 1951. Pp. xii, 691. $6.00.)

Why, it may be asked, here review a book designed, through a full and sequential analysis of Shakespeare's plays, to reveal the coherence through development of the whole canon and the harmonious integrity of a nonetheless inexhaustible and endlessly suggestive genius? There are several reasons. First of all, on the evidence, the late Professor Goddard was a penetrating and effective observer of the ways of his kind—their aspirations and inspirations, their failures and their follies—of man's tragic lot and of the dignity of his high calling. With the humility necessary to understanding, to a penetration beyond opinion and the surface of things, he manifestly combined contempt for the ignoble. Clear in his formulation of, and adherence to, moral and spiritual principles, he was philosophic in temperament, and so concerned that right thought and right feeling should, in a high harmony rendered rare by this-worldliness, lead to right action based on an awareness of final goods for the person, and on a consequent recognition of what men, great or small, should do and refrain from doing, as social animals, in relation to their fellows. He was, therefore, a political philosopher, though, like many a good political philosopher, his concern went beyond the rationale of the state and of statecraft. Secondly, and again consequentially, while he was submissive to, and had repeatedly immersed himself in the works and words of, the poet, he necessarily saw Shakespeare as deeply concerned with man and power just because he was ultimately concerned with selves in the world men might make, and must suffer.

At one level, Goddard shows us, Shakespeare is concerned with the high potentialities for inner perfection, and outer good influence, of greatly forceful characters, initially possessed of sound instincts and high aspirations, yet fatally marred by some basic weakness of character, temperament, or heritage. On that weakness play practical and conventional considerations, and expectations of position and power, this-worldly in their immediacy. The ultimate heritage of commodity, of false concern for worldly values of pelf and power, is variously corruption of men's values, or futile waste of their energies. The positive implication, and often the clear plea, is, whatever the outer costs, "To thine own self be true." There is an insistence that that self must be the best self, and an argument that adherence to an integrity of values, regardless of immediate, actual, or apparent costs from the point of view of success or power, alone offers the promise of lasting success.

Yet circumstances play their part, not less than the deficiencies of similar integrity in friends and fellows, and the ills inherited by, and deeply rooted in, a social order. Integrity and right values, though they illumine and irradiate those around, are no guarantees of successful rulership, properly restraining influence, or general inspiration to emulate. Nor, though they alone can lead to the proper governance and the happiness of society, is their presence, even in key positions, a sure warrant of outer success or of a stable and prosperous order. Yet the integrity of right values brings its own reward of spiritual well-being; so that Cleopatra, or even, intermittently, Antony, enjoys a high ecstasy of insight and completion forever denied to the outwardly successful, yet consciously frustrated and deprived, Octavia.

Secondly, Shakespeare, however fascinated by the great and potentially noble, had a deep respect for common clay. He believed that wisdom, insight, and integrity were often, and perhaps more often, the prerogative of humble men close to nature, trained in practical arts, and molded by the discipline of moderate, but real, responsibilities. Indeed, in Goddard's interpretation, much of Shakespeare's work appears as a commentary both on the corruption of power and the difficulty of the rich man's entry into Heaven. In this sense, too, not less than in his conviction that the great commonly used the collective power which they controlled to the detriment, rather than the wealth and welfare, of the nation, Shakespeare, in Goddard's view, was a democrat. Goddard manifestly is not so foolish as to argue that Shakespeare believed in democracy in the modern sense of representative government. He urges only that Shakespeare clearly revealed, through his lesser *dramatis personae*, generally of lesser social stature, the conviction that the great, who inherited kingdoms and fortunes, were frequently less competent in the use of their consequent authority than would have been those by outer position their inferiors; and that he had no little sympathy with the idea that they should rule, or at least share in and control power.

Yet, as Goddard shows, it was individuals, real particular persons, of the common sort, whom Shakespeare approved, and on whom he rested his implied thesis. He knew, indeed, that many common men were also base and genuinely vulgar, and he indulged in no cant about the common man. But men of lowly station who are better, in values and in competence, than their betters, occur in his plays with unexpected frequency. Their occurrence and their depiction are enough to suggest that Shakespeare was, at the least, no fawning admirer of aristocracy or of kings alone, and no believer in their essential superiority.

Yet his dislike and distrust of the masses, of which a good deal has been made in endeavoring to prove that he was in essence anti-democratic, was real enough. But mobs are precisely unthinking: they share the wrong values of the corrupting great, as they are often led, or misled, by them. It was command of, and following by, the mob, whether as army or as crowd, that had as its consequence the worst devastations, the greatest increment of human misery. Misguided authority and false ambition, directed to revenge, vainglory, and unwarranted gains—these were ills common to patrician and plebian. But, when they obsessed those in the seats of the mighty, they had their greatest opportunity to wreak woe, were least likely to end in personal destruction only.

Finally, Shakespeare's greatest concern was the realization of peace and love, informed by wisdom and powered by a fine high-spiritedness, invulnerable in its integrity. That peace was not negative, that love was not sentimental. Shakespeare was convinced that wars, international and civil, not less than those lesser conflicts which ended in duels and assassinations, resulted from false ambition; corrupted those who undertook them; and destroyed, for those not their immediate victims, the very conditions of creative welfare which gave opportunity of striving for the best in men, both high and low. Creative love was itself the inner essence, and the complement, of creative peace.

This review has confessedly touched only some of the central themes of Goddard's rich book on one of the richest of all geniuses. Space has prevented illustration, and the desire not to spoil the reader's pleasure has prohibited possible quotation of passages pungent or ruminatively reflective. Yet the central thesis should be clear. Finally, Goddard's whole book is a protest against cultural relativism. It is an argument that the essence of man persists, and that the essential problems of self and of society recur, from generation to generation, despite the variety of manners and morals. It is the task of the philosopher, including the political philosopher, as it is the highest merit of the poet, while perceiving the particular, to peer through it to the universal, and to depict and espouse the ideal. Shakespeare, Goddard convincingly shows us, did.

THOMAS I. COOK.

Johns Hopkins University.

Congress; Its Contemporary Role. BY ERNEST S. GRIFFITH. (New York: New York University Press. 1951. Pp. vii, 193. $3.50.)

Of all the contemporary books about Congress, this is the one I would rather have written. It has competence without erudition, style without flourish, statesmanship without pomposity, philosophy without presumption, and chastity without preciosity.

No man can read this treatise, I believe, and fail to feel that he has been in on the legislative scene, where great things happen greatly. It explains how Congress gets that way, and what way that is. It puts pressure groups and partisanship in their proper place, the corrective perspective of continuous function. As against cynics, Griffith shows how things get continuously done, how problems are met and improvements effected. As against perfectionists, he induces sobriety by placing the burden of proof precisely where it belongs, namely upon all those who glance off difficulties into phantasies—and then intermittently return to indulge in "criticism without a fulcrum." All the while, for sober and patriotic citizens, Griffith manifests and recommends a natural piety predisposed to assume that there is a reason why self-corrective institutions develop into something better and better still. Yielding thus to Congress the benefit of its own creative momentum, the author commands attention when he does raise questions of reform. Seldom have I seen personal judgment deserve and receive more weight, the unearned increment of artistic abstention from half-baked omniscience.

Familiarity with Congress—the author has long been Director of the Legislative Reference Service of the Library of Congress—has not in this case bred the slightest tinge of contempt. Nor does the author surrender to the easy nostalgia of American scholars, especially of Rhodes scholars, for parliamentary things that are English. Nor is he the victim of the romance which holds Congress not what it used to be (though it never was!). All to the contrary, Griffith boldly exposes what I take, with him, to be the most probable truth, that we have evolved an instrumentality in Congress befitting our genius, that we are using and improving that instrumentality right along, and that, in his words now, "Congress is today at an all-time high in the ability and sense of public service and integrity of its membership" (p. 178).

Though the times are difficult and legislative problems are of wide range, the confidence in Congress which this book radiates rests in large part upon the author's conviction—and he should know!—that "actually, Congress is more and more shifting to reliance on research rather than controversy as the basis for decisions on issues and problems" (p. 178). Those whom this judgment surprises have not companioned with Congressmen, as Griffith has, when there was no mirror, or microphone, in sight.

In somewhat greater detail now, Griffith's favorable assessment rests upon competent performance by Congress of such functions as these, in furtherance of its general "role": a growing containment of the bureaucracy, a dynamic interpretation of the separation of powers, a refreshingly creative role in constitutional growth (far short of formal amendment), a measurable and progressive mastery of the dispersive effects of our cultural pluralism, steady support of localism and regionalism at a time when the executive tends to forget and the courts to ignore, discipline of the parties into respect for independence, vast education of the great public in dynamic and responsible citizenship, and, finally, the steady maintenance of equilibrium among necessary but dispersive tendencies of our national life.

There is no space in which to argue these points, or even to illustrate them. Suffice it to say that Griffith himself gives a good account of his faith in Congress when he dips into these particular issues. Readers of this REVIEW will be particularly interested in the "fall" which the author takes out of the admittedly able Report of the American Political Science Association's Committee on Political Parties (published as supplement to the REVIEW, September, 1950). He regards what the Report recommends as tending to make American parties divisive, as in Europe, rather than keeping them unifying, as heretofore in America. He sees loss of personal independence to parties which would be, by the Report, strengthened into disciplinary agencies. He indeed foresees, and fears, a different type of man entering politics under those conditions, different men but not better. All in all, Griffith seems to me to have the best of the argument with the Committee. Here, as elsewhere, his intimate knowledge of Congress, his having not only an inside view but also an inside "feel," and above all his logic of circumspection—these yield him an edge over any opposition to his views.

The "strategic obfuscation," so upsetting to professional liberals who want clarity of conviction whatever the cost, which goes on in our politics permits regionalism to flourish compatibly with federal strength; and it encourages a type of sturdy individualism to compete with loyalty to party. Our unwritten constitution has worked well, inside the formal limits of the written one. Congress has played its role honorably and, with resilience befitting the fluid times, it bids for the continuous support of our loyalty, at a time of an expanding national life. In any improvement he has to suggest, "no constitutional amendment," says the author, "is involved, no very drastic break with current Congressional usage. . . . We seek the success of our economy in equilibriums between the great forces therein operating and not in the triumph of any one of them . . . " (p. 184). Truth to tell, whatever improvements we need, Congress is already by way of perfecting.

It is easy for any one who finishes this book, and doubly easy for a former member of Congress, to agree with the author's "considered judgment": "That Congress is operating with increasing effectiveness and with an awareness and conformity to the long-range public interest." Such documented optimism is vitamins for a season of depletion.

T. V. SMITH.

Syracuse University.

American Forest Policy; A Study of Government Administration and Economic Control. BY LUTHER HALSEY GULICK. (New York: Published by Duell, Sloan and Pearce for the Institute of Public Administration. 1951. Pp. 252. $3.50.)

Professor Gulick, aided by the staff of the Institute of Public Administration, has provided a survey of current forestry policy, including economic and administrative analysis, appraisal of successes and failures, and recommendations. The year 1951 also brought forth *Forests and Men*, by William B. Greeley, formerly Chief of the Forest Service and since 1928 associated with the West Coast Lumbermen's Association. These two books provide the first systematic, non-official treatment of forestry policy since John Ise and Jenks Cameron wrote in the 1920's. (Gifford Pinchot's *Breaking New Ground*—1947—deals with the period through 1910.)

How do the Gulick and Greeley books compare? The first is a nontechnical survey, several years in the making; the second is the distillation of a half-century in the woods. The professor offers more systematic analysis; the forester, more detail. Both are agreed on major points—that we need not fear a forest "famine"; that American forestry policy is and must be an indigenous development rather than an adaptation of European models; that the most significant gains have been and will be won essentially through cooperation; that the role of states and local governments must be emphasized; that economic interest is the primary motivation in how the woods are handled; and that human attitudes toward property, government, natural resources, and the national interest are the basic data of the forestry problem.

Differences appear. Greeley stresses defense against fire; Gulick underlines more the need for combating pests and diseases. Gulick reiterates the backwardnesss of the South (which should grow half the nation's wood supply); Greeley agrees, but dwells more on advances in southern forestry. Probably most important, Gulick concludes that American forests are still considered essentially as inventories rather than as crops, whereas Greeley believes that attitude-shifts have occurred so that forests are now essentially viewed as crops. In part, this difference arises from variation in emphasis upon the problem of some 4,200,000 farm woodlots and other small holdings which include over half the forest acreage and may produce 30–40 per cent of the nation's wood needs. The fact that Gulick dwells more upon the small-holder problem seems to influence his judgment about attitudes towards forests-as-inventory —a judgment with important policy implications (e.g., respecting the feasibility of special credit for forestry and the need for governmental controls).

On the burning question of public control of private cutting, both men recommend against federal regulation; but Gulick is in favor of strengthening state control, whereas Greeley would rely essentially on education, here as elsewhere. Perhaps these books will stimulate Earle H. Clapp or Lyle F. Watts to present an equally thorough case for the Forest Service position, especially on the issue of controls.

Courses in public policy, conservation, and government and business will profit from these two books, which can be supplemented, among other things, by the *Proceedings* of the Fourth American Forestry Conference (1946), various documents of the Forest Service (cited by Gulick), the U.S.D.A. yearbook for 1949—*Trees,* and the files of the invaluable *Journal of Forestry.* (On the issue of governmental control, the penetrating study of Kenneth P. Davis in the November, 1946, *Journal of Forestry* is especially recommended.)

All who believe that more political scientists should address themselves to policy issues will welcome *American Forest Policy.* Gulick's broad background in politics and administration plus the specificity of his assignment produces a "sustained yield" of pointed analysis and prudent recommendations on issue after issue. Some may be disconcerted that Gulick presses through to recommendations in areas involving value judgments, but this reviewer is not.

Nor does Gulick lose sight of the general significance of his particular study. He stresses the role of the professionals (by no means all in the Forest Service) in initiating policy. He emphasizes the coordination among the several levels of government and private interests which professionalism fosters. He is sensitive to the implications of controls for the rule of law; of proposals for national administration for the federal system; and of the federal aid device for the controls ordinarily inherent in the budgeting and appropriating process. He is also aware "that the whole problem is still shot through with the conflicts of interest even after fifty years. . . . Though the science of forestry has made great progress, there is evidently no scientific answer to the more fundamental questions . . . " (p. 231). Agreed! Even in the act of presenting his thoughtful analysis of pressing policy issues, Professor Gulick conveys the sense of the underlying political process. Just as he does justice to the relevance of politics to developments in forestry, so also he shows the significance of these developments for the maintenance and strengthening of democratic constitutionalism.

CHARLES M. HARDIN.

University of Chicago.

The Office of Governor in the South. BY COLEMAN B. RANSONE, JR. (University: Bureau of Public Administration, University of Alabama. 1951. Pp. vii, 256.)

The Organization of the Executive Office of the Governor. BY HOMER E. SCACE. (New York: Institute of Public Administration. 1950. Pp. 65. [Mimeo.])

Coleman B. Ransone's study of the office of governor in eleven southern states is a departure from the usual analysis of the constitutional and statutory powers of the office, in that it places major emphasis upon a realistic appraisal of how the governor's functions are performed in actual practice. In order to accomplish this purpose, Ransone visited each state and interviewed governors, former governors, other state officials and informed observers. The result is a refreshing "new look" among studies of the governor's office. It is at considerable variance with the pictures of the governor found in most of the state administrative reorganization studies, both in the South and elsewhere.

Ransone's findings point up three conclusions concerning the relative importance of the governor's major functions: (1) The most important function of the governor in point of time consumed is public relations. (2) In terms of what the governors themselves believe to be the most important function, legislative leadership receives the first-place ranking. (3) The function of administrative leadership ranks a poor third-place in the governor's activities, whether measured by the governor's interest in it or by time actually devoted to it. The great majority of governors have little inclination to be the chief administrator. In a section entitled "Cabinet Meetings, Fact or Fiction?" Ransone found little evidence of governor's cabinet meetings where overall administrative coordination is achieved, or even where important matters are discussed.

Ransone turns from this excellent description of what actually goes on in the governor's office, to which most of the monograph is devoted, to a brief statement of recommendations for making the governor more effective in administration. These recommendations can hardly be said to constitute a weakness in the study because they follow the orthodox pattern usually recommended by political scientists, such as the four-year term, functional departmentalization, single-headed departments and the executive budget. However, it is somewhat disappointing to find a new and different description followed by the time-honored prescription of remedies. For example, one of the interesting contributions of this study is the finding that most governors we elect have neither the desire nor the time to be a "general manager" of state administration, a circumstance which indicates that political scientists may be forcing a "shotgun wedding" between the political, legislative-minded governor and the more technical management function.

Homer E. Scace has prepared a brief study (sixty-five pages) of the organization of the executive office of the governor, summarizing the results of questionnaires sent to the forty-eight state governors. The questionnaire contained an outline covering the major aspects of the governor's job, and thirty-one governors made comments on how these duties are carried out, with particular reference to the organization of the personnel involved. The resulting data should be useful to those in search of comparative information on state executives.

Scace states at the outset that the reorganization of state governments has "attracted a new type of man" to the governorship. On the basis of Ransone's findings, it is doubtful if the background and interests of present-day governors, generally speaking, are any different in reorganized states from those of previous governors. There is a minor point that stirs one's curiosity. Scace recommends that the entire budget function be placed in the governor's office in states having fewer than 10,000 employees, and that only the central budget office be placed there in states having more than 20,000 employees. The fate of the budget function in the fifteen states falling in between those two figures is not made clear.

Daniel R. Grant.

Vanderbilt University.

Mr. Justice Sutherland; A Man Against the State. By Joel Francis Paschal. (Princeton: Princeton University Press, 1951. Pp. xii, 267. $4.00.)

In the brave days of the early New Deal, "conservatism" was often equated with "pig-headedness" by the more ardent partisans of the Rooseveltian faith; it was easy and convenient to dispose of protestants by suggesting that their motives were low or their mentalities deficient. The unfortunate results of this oversimplification of contemporary ideological differences was to thwart understanding of an important strain in the national character. Disagreeing with the conservatives, students tended to ignore their arguments and to underestimate their significance to the American political tradition. The shaky condition of liberal thought in America today can be attributed at least in part to this facile dismissal of the conservatism of the day-before-yesterday.

We are now seeing, however belatedly, an awakening of interest in the thought of the men who spoke for the old order in its time of trial. There seems to be a growing realization that they, no less than their progressive opponents, must be understood by those who would understand America. This biography of George Sutherland, the workhorse of the Old Guard on the Supreme Court of the 1920's and 1930's, is more, therefore, than another chapter in the growing volume of American judicial biography. It comes as a welcome addition to the literature that seeks to illuminate, rather than to damn or deify, these prophets of a losing cause. Mr. Paschal treats the ideas of Sutherland with respect and sympathy; he does not make the error of assuming that modern enlightened jurisprudence has rendered the Justice's viewpoints negligible. Neither, however, is he wilfully uncritical or unaware of the stringent limitations of Sutherland's constitutional universe. The author has tried conscientiously to evaluate Sutherland and assign him to his proper place in our judicial and intellectual history.

Justice Sutherland was, the author believes, the leading proponent during his incumbency of the limited view of constitutional power that dominated the Court until the revolution of 1937. His guiding political doctrines were formulated out of the stuff of his early environment—the individualist conditions he knew as a youth in Mormon Utah; the Spencerian precepts that came to him through men like Karl G. Maeser at Brigham Young Academy, or Judge Cooley at the University of Michigan; the distrust of government, and particularly majority government, which pervaded the legal profession and the contemporary Supreme Court. During his career in Congress as a member of the majority party, these early-developed views seemed to have been modified somewhat on the realistic ground that the governors must make some concessions to popular demand in order to govern efficiently. But when, with Taft's defeat, Sutherland went into opposition, the old ideas reasserted themselves; and when he was elevated to the insulated chambers of the Supreme Court, it became apparent that his convictions were now dogmas.

His fundamental premise, says Paschal, was an abiding belief that individual freedom was the highest good. From this premise he developed his "constitutional ultimates"—the strict construction of governmental authority, the devotion to dual federalism, and the insistence on the principle of separation of powers. It was the business of the judge to stand guard over this ideal system, ignoring popular pressures, cleaving to immutable principles no matter how insistently the exigencies of the moment might cry for attention. This was "the conservative world of Mr. Justice Sutherland"; and these were the rules by which he lived.

Some important questions remain unanswered in Mr. Paschal's treatment; some insights might profitably have been developed at greater length. Sutherland's unrelenting devotion to the limited government dogma is not adequately explained. Harlan Stone was as truly a child of the Spencerian tradition as George Sutherland; yet Stone became the spokesman for a very different view of the Constitution. What qualities made Sutherland so inflexible in contrast with his distinguished judicial antagonist? The germ of an answer is to be found perhaps in the author's observation that Sutherland was peculiarly devoted to theory, to the spinning of abstractions. But the explanation, if it is one, is not carried forward, and Sutherland's speculative obsession is not here related to the body of his thought. An ultimate objective of judicial biography is, or ought to be, to achieve a more sophisticated understanding of the nature of the process of judging as it has existed in our constitutional law. And this objective can be accomplished only if the biographer drives his analysis to the point where it answers not merely the easy questions about the judge, but the hard ones as well. This is only to say, however, that Mr. Paschal's study might have achieved more than it does. It is not to deny the volume's merit as an informed and generally illuminating treatment of an important man with an important point of view.

ROBERT G. MCCLOSKEY.

Harvard University.

Due Process of Law, 1932–1949; The Supreme Court's Use of a Constitutional Tool. BY VIRGINIA WOOD. (Baton Rouge: Louisiana State University Press. 1951. Pp. ix, 436. $6.00.)

Perhaps at no time in American constitutional history has a clause of the Constitution undergone such transformations through judicial decisions as the due process clause of the Fifth and Fourteenth Amendments did from 1925 until the mid 1940's. In 1925 the Court began to read into the Fourteenth Amendment the basic liberties of the First Amendment. By 1932 the due process clause of the Fourteenth Amendment was attaining its full growth as a barrier to state legislation adversely affecting property and contract. Finally, in 1937 the Court began its process of extracting from due process all of its substantive limitations on legislative action save those involving the basic freedoms of speech, press, assembly, which were soon destined to become the absolutes of the "new" constitutional interpretation. Miss Wood's book, therefore, covers most of this very important period in constitutional interpretation and contains enough background materials to give the reader a full picture of what Justice Frankfurter has chosen to call "the blest versatility" of due process of law.

In six chapters Miss Wood discusses three hundred or more cases decided by the Supreme Court of the United States from 1932 through 1949 and their earlier antecedents. The chapters center about such topics as due process and the first Amendment (pp. 1–102), social and economic legislation (pp. 103–189), criminal proceedings (pp. 190–272), administrative actions (pp. 273–339), taxation (pp. 340–400), and due process of law in 1949 (401–419). Most of the cases which involved due process of law from 1932–1949, as in other years for that matter, arose out of state action, not because state governments are more indifferent to the vague demands of due process, but because the versatility of the concept as an instrument of judicial discretion renders it a more effective control of state powers which are not so transcendent as national power. An even more significant reason for this phenomenon is that the due process clause of the Fourteenth Amendment protects rights against state action which are guaranteed by other clauses of the Constitution against national action. The identical clauses of the two amendments therefore do not mean the same thing despite the occasional assertions of some judges to the contrary. (See notably Justice Frankfurter's concurring opinion in *Adamson v. California*, 332 U. S. 42, 66 [1947]; note also his opinion in *Malinski v. New York*, 324 U. S. 401, 414, 415 [1915].)

In winding her way through the maze of contradictory cases concerning free speech and picketing, the necessity for counsel, coerced confessions, jurisdiction to tax, etc., it is small wonder that Miss Wood finds confusion in the decisions and concludes that the "new" interpretation of due process of law is still vague. Although the Court's contradictions and verbalizations in this area of constitutional law are more than ample to provoke the puckish to ridicule and to frustrate those who take the Supreme Court too seriously, Miss Wood's treatment of the Court manifests no traces of either ridicule or frustration. Her book is rather a straightforward and unembellished account of what the Court has actually done in seventeen years, and is organized in such a manner as to picture clearly the Court's use of a most important instrument in the judicial process. As such, it is not characterized by theoretical or historical analysis. The book abounds in excellent discussions of cases and useful summaries, but contains few conclusions. However, as an exposition of recent cases in a very difficult field it is excellent and should prove most useful not only to technical students of constitutional law, but to those interested in American government and the problem of the reign of liberty under law generally.

ROBERT J. HARRIS.

Louisiana State University.

BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

The Lobbyists; The Art and Business of Influencing Lawmakers. By Karl Schriftgiesser. (Boston: Little, Brown and Company. 1951. Pp. xiv, 297. $3.50.)

This is a book to put alongside Kenneth Crawford's *The Pressure Boys* (1939) and Stuart Chase's *Democracy Under Pressure* (1945). With particular attention to the hearings and reports of the Buchanan Committee, it carries on in their popular tradition and brings some of the story of congressional lobbying down to 1950. This book pays a bit more attention than did Crawford and Chase to the indirect, or propaganda, aspects of Washington lobbies, and it touches superficially upon pressure group activities in the states. The author quotes James A. Reed: "A lobbyist is anyone who opposes legislation I want. A patriot is anyone who supports me." But in spite of this acknowledgment that there may be two opinions on many of these matters, and in spite of a chapter praising the lobbying activities of the Federation of Atomic Scientists, this book, like those cited above, belongs to the horror school. There is little appreciation of either the inevitability of lobbying under our form of government or of the services that lobbies perform for legislators, administrators, and the public. For one whose chief concern appears to be the exposing of the machinations of lobbyists, the author overlooks a great opportunity in not attacking the inside lobby—the legislators who are members of or attorneys for a group or other interest active before the legislative body. There is an extensive though incomplete bibliography of miscellaneous works on politics, lobbying, and group activity; but it is hard to believe that the author read, much less digested, the works he cites.—Dayton D. McKean, *Dartmouth College.*

The Power Policy of Maine. By Lincoln Smith. (Berkeley and Los Angeles: University of California Press. 1951. Pp. vi, 344. $5.00.)

A state which has abundant undeveloped hydroelectric power, high rates, and few local markets, and which yet places an embargo on power transmission, would seem to be following an anomalous policy, particularly when neighboring states are in need of hydroelectric power. The origin and maintenance of this policy Mr. Smith explains by a legal and historical study that is thorough, definitive, and adversely critical. Major attention is given to the Fernald law of 1909 which prevents corporations from transmitting hydroelectric power outside the state, and which constitutes the major element of Maine's power policy. Though this law "is probably as sacred to [the people of Maine] as are the Monroe Doctrine and Lincoln's Gettysburg Address," Smith considers it "a prominent example of state particularism, . . . an unnatural and isolationist 'Balkanization,' a policy which can no longer aid Maine and which discriminates against New England." Originally designed to attract industry, an objective never achieved, the Fernald law serves now to keep out federal regulation and to hinder regional cooperation. Sufficient evidence is presented to suggest the probable unconstitutionality of the law. This constitutional doubt has led to the inclusion of similar power embargo provisions in corporation charters. Mr. Smith feels that any change in this policy will not come from within Maine, but as a result of the new legal concept of navigable rivers, the requirements of a war economy, federal multi-purpose developments, regional pressures, or a desire for the Passamaquoddy project. The origin of this power policy, as reflected in the Fernald law, is to be found in the grant to riparian owners of rights to flood adjacent land (the Mill Act of 1713), private ownership of water flow (primarily by judicial decisions), New England localism, and fear of outside corporate capital. Attention is also given to the existence of particularism and to opposition to federal intervention, which are reflected in the lack of support of federal rural electrification programs, in the varying attitudes toward the Quoddy project, and in the hostility toward participation in any regional compacts. As against the policy of "Maine power for Maine people," the new power philosophy of the country, regional development, is supported by the author; and this study is actually one of regional power policy. The participation of Maine in any New England power planning is indispensable. Not many people in Maine are aware of the thesis of their native son, Mr. Smith, that regional participation will benefit Maine as well as New England and the nation.—GERALD J. GRADY, *University of Maine.*

Regionalism in America. EDITED BY MERRILL JENSEN. (Madison: University of Wisconsin Press. 1951. Pp. xvi, 425. $6.50.)

This volume, based on papers delivered in 1949, was published in celebration of the hundredth anniversary of the founding of the University of Wisconsin. The contributors were drawn from the social sciences (sociology is most heavily represented), the humanities, and the fine arts. The book is therefore interesting in that it cuts across fields, but synthesis is not entirely achieved. The specialists represented have not always been able to break the bonds of their own preoccupation, nor do they everywhere speak too clearly to each other or to the general reader. The volume opens with essays on the concepts of regionalism, which trace the past applications of the idea in government, literature, and the arts. Three essays then discuss the South, the Spanish Southwest, and the Pacific Northwest. There follows a section on culture (literature, painting, architecture, and linguistics—no music). A penultimate section deals with the practical force of regionalism (TVA, the Great Plains, and the cut-over region of the Great Lakes), and the whole ends with a critique of regionalism (Wirth—con; Odum—pro). Lengthy comments on the volume are impossible here. The governmental side of regionalism has received some illuminating comment from Wirth and Odum. Those essays which deal with the Great Plains and the Great Lakes do not come clearly to grips with the problems of regional government and, in accordance with usual TVA practice, Gordon Clapp is careful to avoid advocating exportation of the TVA idea. But the idea is important enough to have warranted some more concrete examination of problems in river basins other than the Tennessee. Nor should the faults or failures of TVA—or rather of the nation with respect to TVA—have been ignored.—LEE S. GREENE, *University of Tennessee.*

The Sixth Amendment to the Constitution of the United States; A Study in Constitutional Development. BY FRANCIS H. HELLER. (Lawrence: University of Kansas Press. 1951. Pp. 195. $3.50.)

Professor Heller deftly traces the origins and discusses the contemporary application of each of the eight provisions of the Sixth Amendment. Of these eight provisions, the two most important, trial by jury and assistance of counsel, receive the most attention. The primary question raised by the former is "what constitutes an impartial jury?" The Supreme Court's rulings on this and related issues are closely analyzed. When the Amendment was adopted, trial by jury was considered its core. Today, there are not many who argue that such a trial is so indispensable to an ordered system of justice that it should be made a constitutional requirement for state criminal prosecutions. On the contrary, there is a growing assault upon trial by jury as an outmoded procedure whose use at the federal level should be restricted or abolished. The effect of this view on Supreme Court interpretation is clearly pointed out. The heart of the Sixth Amendment has become the right to assistance of counsel. Professor Heller discusses the growth of this guarantee. Originally the federal judge was obliged to allow the accused to hire a lawyer if he could afford to do so. Now the judge has a positive duty to assure that the accused has counsel or that he has intelligently waived his right to it. Attention is then directed to the Court's refusal to extend this provision (or any part of the Sixth Amendment) to the states as an inherent part of due process. Although not taking a clear stand, Heller appears more or less sympathetic to the case-by-case due process approach of the present Court majority. But, in my opinion, there is more to be said for incorporation of the federal rule on assistance of counsel as a part of the Fourteenth Amendment than he indicates. And I am unconvinced when he states that the rule of *Betts v. Brady* is to be preferred if one regards a high esteem for local mores as a postulate of the federal system. It can be argued that extending the federal rule to state criminal prosecutions would be a happy compromise between applying all the provisions of the Fifth and Sixth Amendments, and holding to the existing doctrine. But whether or not one agrees with all his interpretations, Professor Heller has written a valuable book and one that will undoubtedly find an important place on the shelves of those interested in constitutional development.—JACK W. PELTASON, *University of Illinois.*

Dred Scott's Case. BY VINCENT C. HOPKINS. (New York: Fordham University Press. 1951. Pp. ix, 204. $4.00. Distributed by Declan X. McMullen Company, Inc.)

I am happy to report that in the year 1951, just six years short of the centennial of *Dred Scott v. Sanford*, the ghost of that star-crossed plaintiff is very near to being laid. Since March 6–7, 1857, when Taney's Court announced its nine opinions in this most political of cases, comment on the decision and the issues has never ceased. Yet most of it has been occasional, journalistic, or in the nature of special pleading. Never has a serious scholar attempted to write a genetic history of all the issues of the case. Father Hopkins of Fordham, a rigorously fair and impartial historian, has succeeded in doing just that. His little book is, as its publishers assert, a study in law, politics, journalism, political theory, and history. Students of constitutional history will find their particular interests most completely satisfied, for Father Hopkins devotes a compact and informative chapter to each of the three great constitutional questions to which the judges tried to give an answer: the citizenship of free Negroes; the power of Congress over the territories of the United States; and the relationship (at that time) of one state to another. By no means does this little book end all comment and controversy on the Dred Scott case. A definitive book would have to say a good deal more about the personalities involved (especially the relations of Taney to his colleagues), the political circumstances of the time, the subsequent influence of the decision and each of the opinions, and the whole question of whether a judiciary can ever settle finally a litigation so highly *political* in nature. (I use that word in its best and broadest sense.) Father Hopkins has not said enough on the first three points; he has said nothing on the fourth. This is not said in disparagement of his study, which did the job it set out to do, but in the hope that one more book of this size will lay poor Dred to final rest.—CLINTON ROSSITER, *Cornell University.*

Governmental Administration. BY JAMES C. CHARLESWORTH (New York: Harper & Brothers. 1951. Pp. x, 713. $6.00.)

The contents of this latest addition to the growing list of texts and collections of readings in the field of public administration differ considerably from those of previous efforts. This is partially attributable to some of the author's interests growing out of several years of experience in private industrial engineering production. In striving to fulfill the major objective of the book, which is "to tell, not about administrations, but rather, how to administer" (p. ix), three chapters are devoted to production and procedures analysis and six chapters to administrative methods. These latter chapters, constituting the seventh and final part of the book, are concerned with techniques such as inspection, investigation, litigation and arrestment, program evaluation and education. They are particularly noteworthy because the means are discussed in relation to specific administrative goals. Extended treatment is also given to judicial controls over administration. There are two chapters on the development and implementation of judicial controls, a third on procedural adaptations to such regulations, and a fourth devoted exclusively to the Federal Administrative Procedure Act of 1946. Conversely there are only single chapters pertaining to legislative and popular restraints. The inclusion of detailed consideration of so many topics has required the condensation or omission of others that have become common to most public administration texts. This is necessitated by the generally accepted feeling that this type of book must be confined to an approximate number of pages in order to keep it marketable in terms of sales price and assignments covered in one semester. The greatest reduction is made in the matter of fiscal management, which has been telescoped into two chapters, the first focusing on budget administration and the second combining audit, control and accounting. Personnel administration is also generally curtailed although the induction process is expanded. Public relations, usually assigned to a separate chapter, is afforded only incidental attention. In preference to placing bibliographies at the end of chapters or sections, Professor Charlesworth has chosen to insert frequent detailed bibliographical footnotes. Although this procedure has the merit of putting the reference in close proximity to the discussion of the topic, it has the disadvantage of frequently distracting the reader's attention from the body of the textual material—especially in instances, i.e., pp. 655–7, where footnotes consume practically two of the three pages. It seems to this reviewer that selected, annotated chapter listings would have been more valuable.—JOHN C. BOLLENS, *University of California (Los Angeles).*

Ships for Victory; A History of Shipbuilding Under the U. S. Maritime Commission in World War II. BY FREDERIC C. LANE. (Baltimore: John Hopkins Press. 1951. Pp. xxii, 881. $12.50.)

To the student of administrative curiosities and pathologies, the history of the U.S. Maritime Commission offers a wealth of revelations and surprises. Operating through an administrative mechanism which was unbelievably complicated and neglectful of organizational principles, and which frequently broke down, the Commission nevertheless scored some of the most magnificent accomplishments of World War II. It mobilized the shipbuilding industry and guided it into setting unparalleled records to transport vast armies and supplies all over the world. By building ships faster than the Nazis sank them in the Battle of the Atlantic, the Commission as much as any agency helped save Britain in those desperate years. Great new shipyards were established under the Commission, a labor force of 640,000 of many complicated skills was recruited, and over fifty-five million deadweight tons of ocean-going ships were delivered. The Commission worked by methods whose confusion and desperation seem incredible. For example, it could not tell under its hit-or-miss accounts how much it cost to build a given ship. In 1944, a TVA accountant was called in to make improvements only to be shelved in a reorganization several months later because "he never understood the system of accounts used in the Commission." Among other bizarre items, the Regional Offices, which directed the shipyard managements, operated by no single system of administrative orders, rarely held staff conferences, and never effectively defined the powers of their main officers, or understood their authority vis-à-vis Washington. At the height of the war, the Commission, which proceeded by unanimous decision, was split by intense disagreements among the members. In this new volume in the series sponsored by the Committee on Records of War Administration, Frederic C. Lane and his associates have prepared an excellent and very readable account of the Commission's experience. The approach is a combined chronological and topical one, from the outbreak to the conclusion of World War II. Among the topics thoroughly explored are the design and procurement of the Liberty Ship; contracts with shipbuilders and their supervision; the cancellation of the Higgins contract; the building of the labor force; guidance of the flow of materials; and the Commission's administrative problems, including the complicated relations with the War Shipping Administration. The volume is thoroughly documented; the authors are always thoughtful of the reader in explaining technical shipping terms; and the approach is dispassionate, frank, and duly critical. The volume represents a fine addition to our wartime administrative histories.—LOUIS W. KOENIG, *New York University.*

Washington Command Post; The Operations Division. BY RAY S. CLINE. (Washington: U. S. Government Printing Office. 1951. Pp. xvi, 413. $3.25.)

Modern technology that has revolutionized so many aspects of our lives has been particularly evident in its effects on the science of war. One of the most striking examples of its influence is that "some of the greatest generals in World War II, far from striking the classic posture of the man on horseback, issued their military orders from the quiet of their desks and fought their decisive battles at conference tables. . . . Using new systems of rapid communications, they kept in touch with the movements of armies, and set the patterns of grand strategy as effectively as the Caesars and Napoleons of the past." Dr. Ray S. Cline, in this study, set out to recount the history of the principal military staff agency of the High Command of the United States Army in World War II. It is intended to be an institutional biography describing the origins, development and mature characteristics of this important unit of the War Department. There can be little doubt that the author has been successful in this undertaking. While the preparation of military plans and the supervision of their execution would seem to be of interest only to the military man, actually this volume contains much of value to a student of politics and administration. It gives a good many valuable insights into operations of a military department at a high level. Furthermore it contributes to a better understanding of the broad pattern of civilian-military relations in America and of inter-allied problems during the last war. Inadequate liaison between the White House, the Department of State and the War Department as well as between the Armed Services was responsible for early American "diplomatic defeats" in dealing with our Allies. Dr. Cline is an instructor at Harvard University. During the war he served in the Office of Strategic Services. This book is one of some hundred contemplated volumes covering the Army's part in the war. It is official history but the author has succeeded in maintaining a high degree of objectivity.—ROBERT H. CONNERY, *Duke University.*

Jefferson and His Time; Volume II, Jefferson and the Rights of Man. BY DUMAS MALONE. (Boston: Little, Brown and Company. 1951. Pp. xxix, 523. $6.00.)

Like its predecessor, this second installment of Professor Malone's multivolume life of Jefferson is required reading for political scientists, whether teachers or practitioners of their art. Opening with Jefferson's departure for France in the middle of 1784, the present volume covers the great Virginian's diplomatic career at the Court of Louis XVI, his transatlantic observations on the work of the Constitutional Convention as Madison reported it to him, and his first-hand appraisal of the French Revolution and of the political and intellectual cross-currents beneath its surface. It deals also with the first administration of Washington, and with Jefferson's role in molding the foreign policy of a new and very weak member of the family of nations, whose every move was jealously and sometimes contemptuously watched by England and by France. There is a fresh and illuminating analysis of the as yet not fully conscious beginnings of the party system, as revealed in the election of 1792; and there is forecast of great events to come. Professor Malone's work is not only the best by all odds that has been done on Jefferson; it is political biography as it ought to be written, with sound but unobtrusive scholarship, with logical organization, with easy and readable style, and with sure grasp of politics as well as of history. Familiar as are the events of the crowded decade that bounds his work, Professor Malone has given them new meaning and importance in the retelling.—CHARLES M. WILTSE, *Washington, D. C.*

The Papers of Thomas Jefferson; Volume 4, October 1780–February 1781. EDITED BY JULIAN P. BOYD. (Princeton: Princeton University Press. 1951. Pp. xxxviii, 702. $10.00.)

This volume covers five critical months of Jefferson's governorship. The documents, some previously unpublished, reveal the pressure of defense and fiscal problems. Early correspondence relating to what was to become Jefferson's classic work "Notes on the State of Virginia" are also contained in this volume.

The Memoirs of Herbert Hoover; Years of Adventure, 1874–1920. (New York: Macmillan Company. 1951. Pp. xi, 496. $4.00.)

This first volume of the former President's autobiography covers his younger days and his professional career, and his activities and experiences during the war period and the Treaty of Versailles in 1919. Some heretofore unpublished documents are included.

Cases on the Constitution. BY JOHN P. FRANK. (New York: McGraw-Hill Book Company, Inc. 1951. Pp. xi, 339. $3.50.)

Sixty selections by a Yale law professor from cases and other readings. Emphasis is on recent materials, with notes on background.

Administrative Law. BY KENNETH CULP DAVIS. (St. Paul: West Publishing Co. 1951. Pp. xvi, 1024. $8.00.)

Cases on Administrative Law. BY KENNETH CULP DAVIS. (Boston: Little, Brown and Company. 1951. Pp. xxv, 1031. $8.50.)

New text and casebook, with parallel organization, designed primarily for law school use. The author is professor of law at the University of Minnesota.

Resources and Policy; Current Issues in Conservation. EDITED BY LEE S. GREENE AND RENÉ DEVISME WILLIAMSON. (Gainesville, Fla.: Distributed by Kallman Publishing Co. 1951. Pp. 313–481. $2.00.)

A symposium reprinted from the *Journal of Politics*, Volume 13, Number 3, August, 1951. Includes articles by Stanley A. Cain, Charles E. Kellogg, Earle H. Clapp, Norman Wengert, Henry C. Hart, Roy F. Bessey, Marion Clawson and Charles M. Hardin.

Federal Grants-In-Aid to Idaho, 1938–1948. BY ROSEMARY A. CLASSEN. (Moscow: Department of Social Science, University of Idaho. 1951. Pp. viii, 226. [Mimeo.])

Study of development, trends, and results in fields of public health and welfare, education, public works, agriculture and other natural resources.

Municipal Accounting and Auditing. (Chicago: National Committee on Governmental Accounting. 1951. Pp. x, 250. $4.00.)

Principles and procedures of accounting, budgeting, auditing, and reporting for municipalities.

Police Organization and Management. BY V. A. LEONARD. (Brooklyn, N. Y.: Foundation Press, Inc. 1951. Pp. xviii, 507. $5.00.)

Formal treatment of the management problems of the police department.

County Government in California. PREPARED BY THE BUREAU OF GOVERNMENTAL RESEARCH, UNIVERSITY OF CALIFORNIA, LOS ANGELES. (Sacramento: County Supervisors Association of California. 1951. Pp. x, 143. $1.50.)

Prepared as a staff project under the direction of Winston Crouch. The study is specific in character, and is designed primarily for the information of the county official.

Local Government in California. BY JOHN C. BOLLENS AND STANLEY SCOTT. (Berkeley and Los Angeles: University of California Press. 1951. Pp. vii, 154. $3.00.)

A study conceived and in large part carried out as a research project of the Bureau of Public Administration of the University of California. It deals with cities, counties, and special areas.

The Hampton Roads Communities in World War II. EDITED BY CHARLES F. MARSH. (Chapel Hill: University of North Carolina Press. 1951. Pp. xv, 337. $6.00.)

Report of the Hampton Roads-Peninsula War Studies Committee, College of William and Mary. Analyzes impact of the war on all aspects of community life—social, economic and governmental.

SELECTED ARTICLES AND DOCUMENTS ON
AMERICAN GOVERNMENT AND POLITICS

J. ALTON BURDINE AND EMMETTE S. REDFORD

University of Texas

ARTICLES

National Government

Legislative Riders. *Illinois Law Review.* May–June, 1951.

Marsh, Michael. Ethics in Government. *Editorial Research Reports.* December 5, 1951.

Schubert, Glendon A., Jr. The Presidential Subdelegation Act of 1950. *Journal of Politics.* November, 1951.

State Government

Action by the Legislatures—1951. *State Government.* December, 1951.

Council of State Governments. Digest of State and Local Activities Relating to Internal Security. 1951.

Council of State Governments. State Court Systems. Rev. 1951.

Glosser, Lauren A. Ohio Legislators Get Help. *National Municipal Review.* October, 1951.

Havard, William C. The Abortive Louisiana Constitutional Convention of 1951. *Journal of Politics.* November, 1951.

O'Rourke, Lawrence W. Legislative Assistance; Some Staff Services Provided for Legislatures. Bureau of Governmental Research, University of California. 1951.

Solomon, Samuel R. The Governor as Legislator. *National Municipal Review.* November, 1951.

Local Government

Kerstetter, John R. New State Legislation Affecting Cities. *Public Management.* September, 1951.

Tableman, Betty. Governmental Organization in Metropolitan Areas. University of Michigan Governmental Studies, No. 21. 1951.

Willis, William J. The Elimination of Nonconforming Uses. *Wisconsin Law Review.* July, 1951.

Constitutional Law and Judicial Administration

Boudin, Louis B. The Settler Within Our Gates: II. *New York University Law Review.* July, 1951.

Chafee, Zechariah, Jr. Federal and State Powers under the UN Covenant on Human Rights. Part II. *Wisconsin Law Review.* July, 1951.

Chandler, Henry P. Latter-Day Procedures in the Sentencing and Treatment of Offenders in the Federal Courts. *Virginia Law Review.* October, 1951.

Collins, Philip R. The Power of Congressional Committees of Investigation to Obtain Information from the Executive Branch: The Argument for the Legislative Branch. *Georgetown Law Journal.* May, 1951.

DeLay, John K., Jr. Relation of Federal and State Governments: Title of United States to

Tidelands. *Michigan Law Review.* November, 1951.

Donnelly, Richard C. Judicial Control of Informants, Spies, Stool Pigeons, and Agent Provocateurs. *Yale Law Journal.* November, 1951.

Executive Immunity from Judicial Power to Compel Documentary Disclosure. *Columbia Law Review.* November, 1951.

Free Speech and the Hostile Audience. *New York University Law Review.* July, 1951.

Hamilton, Howard Devon. The Legislative and Judicial History of the Thirteenth Amendment. Part I. *National Bar Journal.* March, 1951.

Kauper, Paul.The First Ten Amendments. *American Bar Association Journal.* September, 1951.

Leek, J. H. Treason and the Constitution. *Journal of Politics.* November, 1951.

Levy, Leonard W. Chief Justice Shaw and the Formative Period of American Railroad Law: II. *Columbia Law Review.* November, 1951.

Patterson, Edwin W. Historical and Evolutionary Theories of Law. *Columbia Law Review.* June, 1951.

Pfeffer, Leo. Church and State: Something Less than Separation. *University of Chicago Law Review.* Autumn, 1951.

Sabine, James E. Interstate Commerce and State Taxation in the Supreme Court, 1950 Term. *Journal of the State Bar of California.* September–October, 1951.

The Supreme Court, 1950 Term. *Harvard Law Review.* November, 1951.

Walter, Robert H. K. Possible Impact of Television Rule on Motion Picture Censorship. *California Law Review.* September, 1951.

Public Administration and Administrative Law

Clemens, E. W. and Thatcher, L. W. The Reorganization of the Federal Communications Commission: A Case Study in Administration and Organization. *Land Economics.* August, 1951.

Dimock, Marshall E. The Objectives of Governmental Reorganization. *Public Administration Review.* Autumn, 1951.

Esman, Milton J. The Hatch Act—A Reappraisal. *Yale Law Journal.* June, 1951.

Mosher, Frederick C. Personnel Management in American Foreign Affairs. *Public Personnel Review.* October, 1951.

Netterville, Victor S. The Administrative Procedure Act: A Study in Interpretation. *George Washington Law Review.* October, 1951.

The Proper Separation of Functions for Administering Our National Labor Relations Program. *Illinois Law Review.* July–August, 1951.

Political Parties, Elections, and Public Opinion

Field, H. The Accuracy of Pre-Election Polls. Bulletin of the Oxford University Institute of Statistics. July, 1951.

Goodman, T. William. How Much Political Party Centralization Do We Want? *Journal of Politics.* November, 1951.

Riemer, Neal. The Case for Bare Majority Rule. *Ethics.* October, 1951.

Economic and Social Functions

National Economy

Carlston, Kenneth S. Antitrust Policy: A Problem in Statecraft. *Yale Law Journal.* November, 1951.

Geffen, Ralph J. Anti-Trust Law in Wisconsin. *Wisconsin Law Review.* July, 1951.

Price Discrimination in Gasoline Marketing: The Detroit Jobbers Case. *University of Chicago Law Review.* Autumn, 1951.

Rahl, James A. Resale Price Maintenance, State Action, and the Antitrust Laws: Effect of Schwegmann Brothers v. Calvert Distillers Corp. *Illinois Law Review.* July–August, 1951.

Rowe, Frederick M. Price Discrimination, Competition, and Confusion: Another Look at Robinson-Patman. *Yale Law Journal.* June, 1951.

Smith, Blackwell. Effective Competition: Hypothesis for Modernizing the Antitrust Laws. *New York University Law Review.* July, 1951.

Labor

Daykin, Walter L. The Operation of the Taft-Hartley Act's Non-Communist Provisions. *Iowa Law Review.* Summer, 1951.

Dixon, Robert G., Jr. Public Power and Critical Labor Disputes. *Journal of Politics.* November, 1951.

Government Regulation

Grossman, William L. Principles of Carrier Rate Regulation. *New York University Law Review.* July, 1951.

Public Regulation of Domestic Airlines: A Proposal for Structural and Subsidy Reform. *Yale Law Journal.* November, 1951.

Warner, Earl. The State Milk Control Agencies in New England. Bulletin 565, Agricultural Experiment Station, University of Vermont and State Agricultural College. June, 1951.

Civil Liberties

Marshall, Thurgood. Mr. Justice Murphy and Civil Rights. *National Bar Journal.* March, 1951.

Municipal Regulation of Free Speech in the Streets and Parks. *Illinois Law Review.* July–August, 1951.

Richardson, Elliot L. Freedom of Expression and the Function of Courts. *Harvard Law Review.* November, 1951.

Military Affairs and National Security

Letwin, Leon. Communist Registration under the McCarran Act and Self-Incrimination. *Wisconsin Law Review.* July, 1951.

Harriott, Donald B. Effects of Civilian Control on the Development of Military Leadership. *Military Review.* December, 1951.

The McCarran Act—Detection or Defection? *Illinois Law Review.* May–June, 1951.

Government Documents

Congress

Joint Committee on Defense Production. First Annual Report of the Activity of the Joint Committee on Defense Production, together with Materials on National Defense Production and Controls. 82nd Cong., 1st sess. 1951.

Joint Committee on Reduction of Nonessential Federal Expenditures. Annual Control of the Federal Budget. Hearings. 82nd Cong., 1st sess. 1951.

House. Committee on Armed Services. Reserve Components. Hearings. 82nd Cong., 1st sess. 1951.

——— Committee on Expenditures in the Executive Departments. A Commission to Study Overseas Activities of the Federal Government. Hearings before a Subcommittee. 82nd Cong., 1st sess. 1951.

——— ——— Consolidation of Veterans' Administration. Hearings before a Special Subcommittee. 82nd Cong., 1st sess. 1951.

—— Committee on Interstate and Foreign Commerce. Assistance to Nursing Education. Hearings. 82nd Cong., 1st sess. 1951.

——— Committee on the Judiciary. The Mobilization Program. Report of the Subcommittee on Study of Monopoly Power. 82nd Cong., 1st sess. 1951.

—— Committee on Post Office and Civil Service. Increasing Rates of Compensation of Officers and Employees of the Federal Government. Report. 82nd Cong., 1st sess. 1951.

——— Committee on Ways and Means. Simplification of Customs Administration. Hearings. 82nd Cong., 1st sess. 1951.

Senate. Committee on Appropriations. Mutual Security Appropriations for 1952. Hearings. 82 Cong., 1st sess. 1951.

——— Committee on Armed Services. Air Force Organization Act of 1951. Hearings before a Subcommittee. 82nd Cong., 1st sess. 1951.

——— Committee on Expenditures in the Executive Departments. Hearings on Evaluation of the Effects of Laws Enacted to Reorganize the Legislative Branch of the Government. 82nd Cong., 1st sess. 1951.

——— ——— Influence in Government Procurement. Hearings before the Investigations Subcommittee. 82nd Cong., 1st sess. 1951.

——— ——— The Organization of Congress—Some Problems of Committee Jurisdiction. Report. 82nd Cong., 1st sess. July, 1951.

——— Committee on Interstate and Foreign Commerce. Domestic Land and Water Transportation. Report. 82nd Cong., 1st sess. 1951.

——— Committee on Labor and Public Welfare. Commission on Ethics in Government. Report. 82nd Cong., 1st sess. 1951.

——— ——— Communist Domination of Certain Unions. Report of the Subcommittee on Labor and Labor-Management Relations. 82nd Cong., 1st sess. 1951.

——— ——— Establishment of a Commission on Ethics in Government. Hearings before a Subcommittee. 82nd Cong., 1st sess. 1951.

——— ——— Wage Stabilization Program. Hearings before the Subcommittee on Labor and Labor-Management Relations. 82nd Cong., 1st sess. 1951.

——— Committee on Post Office and Civil Service. Bills to Implement Recommendations of the Commission on Organization of the Executive Branch of the Government (the Hoover Commission). Hearings before Subcommittees. 82nd Cong., 1st sess. 1951.

——— Committee on Rules and Administration. Consolidated Appropriation Bill. Hearings. 82nd Cong., 1st sess. 1951.

——— ——— Maryland Senatorial Election of 1950. Hearings before the Subcommittee on Privileges and Elections. 82nd Cong., 1st sess. 1951.

——— Select Committee on Small Business. Small-Business Problems in the Mobilization Program. Hearings. 82nd Cong., 1st sess. 1951.

——— Special Committee to Investigate Organized Crime in Interstate Commerce. Final Report. 82nd Cong., 1st sess. 1951.

Federal agencies

Civil Service Commission. Political Activity of Federal Officers and Employees. July, 1951.

Executive Office of the President. The Mutual Security Program for Fiscal Year 1952; Basic Data Supplied by the Executive Branch. 1951.

Federal Security Agency, Social Security Administration, Bureau of Public Assistance. The Work of the Full-Time Training Supervisor in State Public Assistance Agencies. 1951.

General Services Administration. National Historical Publications Commission. List of World War II Historical Studies Made by Civilian Agencies of the Federal Government. 1951.

National Security Training Commission. Universal Military Training; Foundation of Enduring National Strength. 1951.

Tennessee Valley Authority. The TVA Program; a Bibliography of Selected Readings. 1951.

FOREIGN AND COMPARATIVE GOVERNMENT

The Parliament of France. By D. W. S. Lidderdale. (London: Hansard Society. 1951. Pp. xix, 296. 18s.)

Parliamentary Government in the Commonwealth. Edited by Sydney D. Bailey. (London: Hansard Society. 1951. Pp. v, 217. 9s.)

Of these two recent publications of the Hansard Society, the former is a thorough and up-to-date survey of the organization, rules of debate, committees, and legislative and financial activities of the National Assembly. Treatment of the Council of the Republic is appropriately restricted to a single chapter. First comes a thirty-eight page survey of the States General and legislative assemblies since 1789. Analysis of the present parliament then proceeds incisively and informingly under dozens of important sub-heads, and the volume ends with a useful glossary of parliamentary terms. Documentation is amply provided through footnotes, and there is an index. While many features of French procedure have been carried over from the Third Republic, Lidderdale is the first to explore the whole field and to bring us as nearly down to date as the process of book-publishing permits. His labors supply one of the very best descriptions so far produced of the operation of a fundamental institution of the Fourth Republic. The book will probably receive the rating of *indispensable* by serious students of comparative government. The second publication, *Parliamentary Government in the Commonwealth,* is largely a compilation of short essays that appeared previously in *Parliamentary Affairs.* These are the work of twenty separate authors, and they adhere only in loose fashion to the general book title applied to the symposium. Among the essays, in addition to those dealing with political institutions of Canada, Australia, New Zealand and South Africa, are ones on the constitutions of Ceylon and India, on cabinet government and parliamentary life in India, on federalism in Pakistan, and on "The Crown in the Commonwealth" and "The Ideals of the Commonwealth." There is also a select bibliography, compiled by the editor. This volume, to which the rating of the Lidderdale treatise cannot be applied, serves little purpose for readers of *Parliamentary Affairs.* For others, it may be useful in parts only.—J. G. Heinberg, *University of Missouri.*

The Fourth Republic of France; Constitution and Political Parties. By O. R. Taylor. (London and New York: Royal Institute of International Affairs. 1951. Pp. x, 222. $3.00.)

Some tendency has prevailed in Great Britain to lament the scarcity of books on the French Fourth Republic. Perhaps there is in that country some underestimation of American studies; but, in any event, British students produced in 1951 two small volumes for which all persons should be grateful everywhere who are interested in French government and politics. One of these volumes is Mr. D. W. S. Lidderdale's study of the present French Parliament; the other is the little book here under consideration, written by a Lecturer in French in the University College of Wales, Aberystwyth. To call Mr. O. R. Taylor's little volume a work of reference would be distinctly unfair; and yet the fact remains that he has packed into some two hundred short pages a formidable amount of information, much of it not readily available elsewhere in English, or for that matter in French. A fault, though no doubt a minor one, consists of the sparseness of reference to documentation. The author in a preface alludes to his special researches in France, and these presumably are the basis of the great wealth of detail; for the works cited in a brief appendix on "Sources" will not account for it. This is especially true of the nine chapters that constitute Part II, "The Constitution of 27 October 1946." (Part I is entitled "The Birth of the Fourth Republic".) Analysis of the terms of the prevailing Constitution is supplemented by an account of legislation and other practice that have developed on the constitutional base. This account is remarkably detailed; and yet the number of slips is practically negligible. Part III, "The Political Parties of Metropolitan France and the French Union," is relatively speaking the least satisfactory section of the book. This seems due to a largely uncritical reliance on the words of platforms of the several political groupings. On the other hand, Part IV is the best section of all. Entitled "Theory and Practice," it is in actuality an account which, on the basis of an enormous amount of well assimilated fact, sets out the conditions in which the various cabinets of the Fourth Republic have been constituted and have lived out their uncertain lives. The story ends at a point before the elections last June; but the substance of the new electoral law is given in an appendix. Mr. Taylor has written of a five-year-old regime a highly valuable study, characterized by real "feel" for the subject.—R. K. GOOCH, *University of Virginia.*

The New Soviet Empire. BY DAVID J. DALLIN. (New Haven: Yale University Press. 1951. Pp. viii, 216. $3.75.)

Dallin is unquestionably one of the most able and prolific writers on the Soviet Union. Possessed of a vast fund of knowledge concerning Soviet developments, his writings have often been marked by flashes of rare insight and remarkable predictions, though—as in the case of other brilliant journalists—these have at times been accompanied by estimates based on wishful thinking, especially with regard to the internal Soviet scene.

The present volume surveys the vicissitudes of the Soviet empire-builders, the role of Soviet prestige, the nature of the second generation of administrators, the nationality problem in relation to the East-West struggle, the position of the Party, and the peculiar phenomenon of "blat," i.e., the black market. While others have dealt more systematically with the Soviet social and ethnic structures, Dallin breaks new ground in the chapters on the Soviet elite and the black market, which contain a wealth of detail based on interviews with Soviet DP's.

His main conclusions are that Soviet methods of expansionism—global in scope, employing fifth columns and using the fiction of "sovereignty"—are inferior to traditional methods, and that Soviet empire-building is doomed to failure, yet is relentlessly pursued by Stalin, who sees our era as one of extended world revolution. The pillar of Soviet power is the "legend of invincibility"—prestige: "It sounds absurd but it is true: this empire can withstand famine, war, and purges, but it cannot withstand diminution of its prestige" (p. 34). Even mere diplomatic defeats and retreats would shake the reputation of the leader and of doctrinal forecasts, undermine the loyalty of the satellites, and "internal forces, formerly chained, will break through the political wall" (p. 39). Nevertheless, and despite his call to make the Russian people the ally of the West, Dallin seems less optimistic than in earlier writings concerning the people's initiative. In 1943 he saw in the new generals a menace to the political hierarchy. In 1944 he thought that the NKVD (rather than the Party) might fall after the war through "the combined efforts of the army and the people." Now he emphasizes that the people are tired and despondent and that the defeat of the Party and its government will begin with a bitter fight within the Party itself (p. 179). Dallin speaks out against a preventive war on the USSR, largely because he does not believe that Russia can be conquered or even occupied, and he is against its dismemberment because the resulting vacuum would enable a resurgent Germany to dominate Europe (pp. 209, 94). Partly in order to keep Russia as a viable component in the balance of power, he would restore independence only to the Baltic peoples.

This reviewer believes that Dallin's conception of the value of Soviet prestige is exaggerated; that the Russian language and culture are emphasized as assimilating tools in an intensified drive for Communist uniformity rather than out of considerations of a new racialism (p. 105); and that there is contradiction in the arguments leading to the conclusion that neither the amalgamation of the Soviet nationalities on the American model, nor their separation on the Austrian pattern, are possible for the USSR. If Dallin is right in his claim that the growth of native intelligentsias, schools and literatures has left an indelible imprint on the nationalities, then there is no reason to expect that the nationalism of the Ukrainians, Turkmen, etc. will be less separatist than that of the Baltic peoples (p. 98). On the other hand, there seems to be an underestimation of the melting pot potentialities of the still-continuing extraordinary population shifts, carried on since 1941, the result of which—in Dallin's own words—has left the Soviet population "more mixed today than it ever was before" (p. 97).

Whatever the points which appear debatable, this is a thought-provoking book, well worth the attention of political scientists.—JULIAN TOWSTER, *University of California (Berkeley)*.

Tensions Within the Soviet Union. PREPARED AT THE REQUEST OF SENATOR ALEXANDER WILEY BY THE LEGISLATIVE REFERENCE SERVICE OF THE LIBRARY OF CONGRESS. Senate Document No. 41, 82nd Cong., 1st sess. (Washington: U. S. Government Printing Office. 1951. Pp. 69.)

Cracks in the Kremlin Wall. BY EDWARD CRANKSHAW. (New York: Viking Press. 1951. Pp. 279. $3.50.)

The Legislative Reference Service of the Library of Congress accomplished the task Senator Wiley set for it, an analysis of the factors which strain the Soviet social fabric, by generous summaries and excerpts from some of the more important books and articles published in English within the last few years. The volume catalogues the most discontented classes and groups within the Soviet Union—the youth, the intelligentsia, religious and racial minorities, women, workers and peasants, etc. Since this is an analysis of the current social strains within the USSR, there is no reference to these groups' divisions and lack of effective leadership or to the controls under which they must operate, particularly the Soviet security forces, which are large, efficient, and apparently loyal.

Mr. Crankshaw, author of *Russia and the Russians* and *London Observer* commentator on Russian affairs, has written another shrewd and stimulating book. The principal section with which any reviewer would quarrel is his very lively and imaginative attempt to demonstrate that the present totalitarian system is rooted in Russian history and in the Russian character, which oscillates between a craving for orthodoxy and a craving for anarchy. Since such a heavy emphasis in historical studies has been placed on the flowering of liberalism in Russia in the second half of the nineteenth century, Mr. Crankshaw's thesis, which is by no means a new one, is hard for many to accept. Neither he nor anyone else has proved his thesis. As a matter of fact, no one, except perhaps Berdiaev, has yet made a serious attempt to try to prove it. Nevertheless, the comparative studies of revolutions, such as those by Professor Brinton, and comparative analyses of societies, such as those by Toynbee, do support Crankshaw. Thus, Stalin's system resembles very much that of Pobedonostsev, except that it is serfdom with tractors and electricity. Moreover, there are distinctions between the political systems of different countries, such as Britain and France. These distinctions derive from the "history," broadly interpreted, of those countries. Once Mr. Crankshaw has left this issue, he is on much firmer ground and he develops several clear and important points. First, he indicates that "all that Stalin has done is to carry Leninism to its logical conclusion." Second, he outlines his belief that fear, not lust for world conquest, is the fundamental motive of Soviet policy and that the primary Soviet goal has always been to ensure the preservation of the existing regime. Finally, he analyzes the fallibility of Stalin and the weaknesses of the Soviet system, weaknesses so serious that Mr. Crankshaw does not believe that there will be a general war with the Soviet Union within this generation.—ROBERT F. BYRNES, *Rutgers University*.

Democratic Government and Politics. BY J. A. CORRY. (Toronto: University of Toronto Press. 1951. Pp. vii, 691. $5.00.)

Revised and enlarged edition of work first published in 1946 by a Queens University political scientist. A comparative analysis of the structure and operation of government in Great Britain, the United States and Canada in the light of fundamental democratic concepts.

Elements of Democratic Government. BY J. A.

CORRY. (New York: Oxford University Press. 1951. Pp. ix, 644. $4.50.)

New edition of book first published in Canada in 1946 and in the United States in 1947 under the present title. This edition contains new chapters on civil rights and international politics and substitutes materials on the Soviet Union for those in the previous edition relating to Canada.

Democracy in the Canadas, 1759–1867. BY D. HUGH GILLIS. (New York: Oxford University Press. 1951. Pp. x, 217. $3.00.)

A history of Canadian political development during the colonial period. The book deals with such problems as church and state in New France, the fur trade, and the impact upon Canada of the American and French revolutions.

Republican Ideas and the Liberal Tradition in France, 1870–1914. BY JOHN A. SCOTT. (New York: Columbia University Press. 1951. Pp. 209. $3.00.)

A study of the origin, evolution and interrelationship of some of the leading ideas produced by the French republican movement.

Compulsory Labor Arbitration in France, 1936–1939. BY JOEL COLTON. (New York: King's Crown Press. 1951. Pp. xvi, 220. $3.25.)

Columbia doctoral dissertation by a historian now at Duke; based on published French sources.

Irish Nationalism and British Democracy. BY ERIC STRAUSS. (New York: Columbia University Press. 1951. Pp. x, 307. $4.25.)

Imported English publication emphasizing Irish social and political influences in Britain.

The British Co-operative Movement in a Socialist Society. BY G. D. H. COLE. (New York: Macmillan Company. 1951. Pp. 168. $3.00.)

A review, written for the Fabian Society, of the British Co-operative Movement and discussion of present leadership and future plans.

New Constitution of India. BY B. N. BANERJEA. (Calcutta: A. Mukherjee & Co., Ltd. 1951. Pp. vi, 205. 6/6d.)

Annotated texts of the more important articles, the recent amendments, and laws relating to the general elections.

Soviet Staff Officer. BY IVAN KRYLOV. TRANSLATED BY EDWARD FITZGERALD. (New York: Philosophical Library. 1951. Pp. vi, 298. $3.75.)

Personal account of a Red Army Staff officer, covering the period between May, 1940, and May, 1945.

The Evolution of Latin American Government; A Book of Readings. EDITED BY ASHER N. CHRISTENSEN. (New York: Henry Holt and Company. 1951. Pp. xvi, 747. $4.50.)

Fifty-five selections edited as a college text. Readings are arranged by major topics rather than by countries.

Caudillo; A Portrait of Antonio Guzmán Blanco. BY GEORGE S. WISE. (New York: Columbia University Press. 1951. Pp. xiii, 190. $3.00.)

Political biography of a 19th century Venezuelan president-dictator selected to reveal the features of caudillismo "in a sort of average sense."

Chile; An Outline of Its Geography, Economics, and Politics. BY GILBERT J. BUTLAND. (New York: Royal Institute of International Affairs. 1951. Pp. 128. $2.50.)

A concise, up-to-date survey of Chile, the first of a series of brief studies on Latin America. Includes section on foreign relations. The author is lecturer in Geography at the University of Birmingham.

Handbook of Latin American Studies: 1948; No. 14. PREPARED BY THE HISPANIC FOUNDATION OF THE LIBRARY OF CONGRESS. (Gainesville: University of Florida Press. 1951. Pp. x, 317. $7.50.)

Annual volume of annoted bibliographies.

France—Documents administratifs, Liste No. 0 (Liste récapitulative) janvier-mai 1951; Liste No. 1-11, 15 mai—15 novembre 1951. (Paris: Comité de Coordination pour la Documentation des Sciences Sociales. 1951. 12 nos.)

In January, 1951, a conference on documentation for the study of international relations was held at the Fondation Nationale des Sciences Politiques, Paris, France, with the support of the European Center of the Carnegie Endowment. Keen interest was manifested in the listing of important current official publications of a certain number of European countries. The above publication issued semi-monthly under the direction of J. Meyriat is the first outgrowth of the conference. Over 400 items are listed in the twelve numbers together with some special supplements for the periodical publications of various ministries. Among the items listed are a number of documents not printed separately, such as international conventions, with the reference to the publications containing them, such as the *Moniteur officiel du commerce et de l'industrie*.—J.B.C.

Questions écrites des députés à l'Assemblée Nationale avec les résponses des ministres. Tome I, Deuxième semestre de 1949. (Paris: R. Pichon & R. Durand-Auzias, 1951. Pp. xcvii, 1023.)

A resolution adopted by the Assemblée Nationale of France July 1, 1949, modifying article 97 of the *Règlement* of that body, provides for a semi-annual compilation of the written questions submitted by the members together with the answers submitted by the ministers, the arrangement to be by ministries with an index by member and by topic. The written questions and answers are reproduced in the volume from the texts printed in the *Journal officiel*. The compilation does not include written questions which have not been followed by a written answer as well as questions made originally in view of a written answer but changed into oral questions. Since the French ministries do not normally issue annual reports, this compilation arranged by ministries presents some of the current problems and details of administration not otherwise readily available.—J.B.C.

What is Dewan Perwakilan Rakjat? (Djakarta. 1951. Pp. 65. [Mimeo.])

The House of Representatives or Parliament of the Republic of Indonesia, officially designated as Dewan Perwakilan Rakjat, has had prepared a brief manual in English giving an account of its establishment, its structure, its functions, and the seventeen political party fractions as well as a very brief biographical statement about each of the 235 members and of the Secretariat. The Republic of the United States of Indonesia, under the transfer of sovereignty by the Netherlands government on December 27, 1949, had a House of Representatives and a Senate. When the Unitary Republic of Indonesia came into being in August, 1950, a provisional unicameral parliament was established, with the 148 members of the House of Representatives, the 29 members of the Senate, and 59 members from the working committee of the Central National Committee and of the Supreme Advisory Council of the original Republic of Indonesia. The debates of the first ten meetings of the Dewan Perwakilan Rakjat, August 16–September 20, 1950, have been printed under the title *Risalah perundingan djilid I* (pp. 316) in the Indonesian language.—J.B.C.

Manuel parlementaire. (Bruxelles: Bruylant. 1950. Pp. 1083.)

The Belgian parliamentary manual published by the printer of the official edition of the rules of the Senate and House of Representatives contains not only the national constitution and rules of the two houses but basic codes and acts necessary for the use of anyone interested in the Belgian government and its problems. In 1946 the latest official edition of the rules was printed by Bruylant under the title *Chambres législatives, Constitution belge, Règlements, Chambre des répresentants (1935, 1945 et 1946), Sénat (1945), Textes légaux intéressant les chambres législatives.* In the parliamentary manual the organic laws included are grouped as follows: Loi provinciale, Loi communale, Lois électorales, Comptabilité de l'Etat, Congo, Conseil d'Etat, Enseignement, Etrangers, Langues, Liberté de la presse, de la parole et de l'enseignement, Milice, and Nationalité. It may be noted that the law creating the Conseil d'Etat was enacted in December 1946.—J.B.C.

Etat des travaux du Comité central d'enquête sur le coût et le rendement des services publics. (Troisième rapport) et suites apportées à l'ensemble de ses conclusions. (Paris: Imprimerie Nationale. 1950, i.e. 1951. Pp. 609.)

A committee of inquiry consisting of sixteen members was set up in France under the Présidence du Conseil by decree of August 9, 1946, amended by decree 47–1283 of July 9, 1947, to seek for measures of economy in the ministries, in the local services of the State, and in the corporations and entities where the Government has a participation of at least twenty per cent, as well as in services and organizations enjoying subventions from the French treasury. The third report covering the period May 1, 1948–July 31, 1950, continues the presentation of a plan for the modernization of the French administration, which in many ways has had to accommodate itself to the rigidities of a system drawn up under the Consulate a century and a half ago. Since the French administration has in various ways been the model for the governments of many European nations, the practical results of the work of this committee would be awaited with special interest.—J.B.C.

T.B.M.M. Albüm, dönem IX, toplanti 2. 1 Kasim 1951. (Ankara: T. B. M. M. Basimevi. 1951. Pp. 129, 46.)

The directory of the Turkish Grand National Assembly (Büyük Millet Meclisi) as of November, 1951, contains portraits and brief sketches of the members, four to a page, arranged in the alphabetical order of the constituencies, with an index and tables of party membership at the end. Of the 487 members, elected in May, 1950, 411 belong to the Demokrat Party, 61 to the Cumhuriyet Halk Partisi (former government party), 1 to the Millet Partisi, 12 are designated as Bağimsizlar (independent), and 2 seats are noted as vacant. There are three women members. The directory is printed at the Press of the Grand National Assembly, and probably intended mainly for official circulation. While the brief biographies are only in Turkish, the vocabulary is relatively simple and stereotyped. Material is now afforded for analysis in various ways of the membership. The directory might even be termed a political who's who of present-day Turkey.—J.B.C.

Assemblée de l'Union française; Notices et portraits, 1951. (Versailles: Imprimerie de l'Assemblée de l'Union française. 1951. Pp. [19], 203.)

For the Assembly of the French Union, the advisory body in consideration of legislation relating to overseas territories, created by the 1946 Constitution, the biographical directory in vest pocket size as of March, 1951, contains the portraits and brief sketches for 203 members, one place being unfilled as of that date. The arrangement is alphabetical, with an index and table of representation at the beginning. One half of the membership represents the overseas territories, not including Morocco and Tunis; of the other half, two-thirds are elected by the Assemblée Nationale, and one-third by the Conseil de la République. Twenty-seven councillors represent the associated states of Cambodia, Laos and Viet-Nam in Indochina. Of the twelve women members, two are from the associated states. The volume is apparently printed only for official distribution and not for sale.—J.B.C.

Documentos básicos de nuestra indepedencia, 1816–1947. Publicación dispuesta por el honorable Senado el 7 de julio del año del Libertador General San Martin, 1950. (Buenos Aires: Imprenta del Congreso. 1951. Pp. 96.)

A compilation giving the text of the act of independence of the United Provinces, 1816, the Manifesto of 1817, the Constitution of the United Provinces, 1819, the Manifesto of April 22, 1819, the Decree of July 6, 1826, celebrating the anniversary of independence, and the Act of declaration of economic independence at Tucumán, July 9, 1947, published by the National Senate of Argentina in an edition of 5,000.—J.B.C.

Plan décennal pour le developpement économique et social du Ruanda-Urundi. By MINISTÈRE DES COLONIES. (Bruxelles: De Visscher. 1951. Pp. xxxix, 596. 23 maps.)

The elaborate ten-year plan for the development by Belgium of the trust territory of Ruanda-Urundi closely follows the outline of a similar plan for Belgian Congo published in 1949. "La primauté des intérêts des indigènes" is said to dominate the common policy in the two jurisdictions. Ruanda-Urundi at the same time is quite distinct from the Congo, especially in its problems, being isolated on the interior highlands bordering on the great African lakes.—J.B.C.

SELECTED ARTICLES AND DOCUMENTS ON
FOREIGN AND COMPARATIVE GOVERNMENT

MARIO EINAUDI
Cornell University

United Kingdom

Black, Robert B. The British Central Land Board. *Public Administration Review.* Winter, 1951.

British Electricity Authority, Report for 1950–51. House of Commons Paper 287.

British Information Services. Reference Division. Bibliography on Nationalization. 1951. (I.D. 1094.)

Epstein, Leon D. Socialism and the British Labor Party. *Political Science Quarterly.* December, 1951.

Eysenck, H. J. Primary Social Attitudes as Related to Social Class and Political Party. *British Journal of Sociology.* September, 1951.

Heldman, Herbert. The Economic Problems of Denationalization. *Political Science Quarterly.* December, 1951

Ministry of Education. Education, 1900–1950; The Report of the Ministry of Education and the Statistics of Public Education for England and Wales, for the Year 1950. London, His Majesty's Stationery Office, 1951. (Cmd. 8244.)

Six Years of Socialist Government. Part IV: Foreign Affairs. Part V: Defence and Imperial Affairs. *Notes on Current Politics.* July 16 and 30, 1951.

Commonwealth of Nations

Nash, Walter. Parliamentary Government in New Zealand. *Parliamentary Affairs.* Autumn, 1951.

Patten, J. W. Alternatives to Apartheid in South Africa. *Foreign Affairs.* January, 1952.

Western Europe

A.S. L'Elaboration de la Loi Electorale du 9 mai 1951. *Revue du Droit Public.* July–September, 1951.

Bernhard, John T. Empirical Collectivism in Denmark. *Journal of Politics.* November, 1951.

Bonnet, Henri. The Schuman Plan. *World Affairs.* Winter, 1951.

Coutin, P., Drogat, N. and A. Parlagreco. Problèmes Ruraux Contemporains. *Revue de l'Action Populaire.* November, 1951.

Diamant, Alfred. The French Council of State; Comparative Observations on the Problem of Controlling the Bureaucracy of the Modern State. *Journal of Politics.* November, 1951.

Einaudi, Mario. Communism in Western Europe: Its Strength and Vulnerability. *Yale Review.* Winter, 1952.

———. The Crisis of Politics and Government in France. *World Politics.* October, 1951.

Flory, Maurice. La Liberté de Démission du Président du Conseil. *Revue du Droit Public.* July–September, 1951.

Fortis, Antonio. L'Assalto alla Proporzionale. *Società.* September, 1951.

Geneva. Some Aspects of Agricultural Tenancy in Present-day Europe: I, II. *International Labor Review.* August-September, October, 1951.

Giraud, Emile. La Révision de la Constitution et le Régime de la Dissolution. *Revue Politique et Parlementaire.* October, 1951.

Gozard, Gilles. Le Pool Charbon-Acier. *Revue Politique et Parlementaire.* July, 1951.

Guerin, Maurice. Quelques Idées sur la Réforme des Méthodes de Travail Parlementaire. *Revue Politique et Parlementaire.* October, 1951.

Herschel, Wilhelm. Employee Representation in the Federal Republic of Germany. *International Labor Review.* August–September, 1951.

Joannés, Victor. La Responsabilité des Dirigeants Socialistes dans la Fascisation du Régime. *Cahiers du Communisme.* October, 1951.

La Situation de la Presse. *Documentation Catholique.* June 17, 1951.

Lecoeur, Auguste. Le Précieux Apport des "Oeuvres" de Maurice Thorez pour l'Étude Individuelle de Masse. *Cahiers du Communisme,* December, 1951.

Lefebvre, Henri. Les Classes Sociales dans les Campagnes. La Toscane et la "Mezzadria Classica." *Cahiers Internationaux de Sociologie.* Vol. 10, 1951.

Macridis, Roy C. The Cabinet Secretariat in France. *Journal of Politics.* November, 1951.

Malleret-Joinville, Alfred. Classes et Nation. *Cahiers du Communisme.* December, 1951.

McPherson, William H. Codetermination: Germany's Move toward a New Economy. *Industrial and Labor Relations Review.* October, 1951.

Merle, Marcel. La Convention Européenne des Droits de l'Homme et des Libertés Fondamentales. *Revue du Droit Public.* July–September, 1951.

Mury, Gilbert. Lettre à un Jeune R.P.F. *La Nouvelle Critique.* September–October, 1951.

Norman, John. Politics and Religion in the Italian Labor Movement. *Industrial and Labor Relations Review.* October, 1951.

Papa, Antonio. Luigi Sturzo. *Belfagor.* November, 1951.

Pickles, W. The Revived International. *Political Quarterly.* October–December, 1951.

Podkowiński, Marian. Socjalistyczna Partia Jednosci (SED) Ostoja Niemeckiej Demokracji [The Socialist United Party (SED), Foundation of German Democracy]. *Sprawy Miedzynarodowe.* July–December, 1950.

Pollock, John. The Election in France and After. *Quarterly Review.* October, 1951.

Raphael-Leygues, J. L'Assemblée de l'Union Française. *Revue Politique et Parlementaire.* October, 1951.

Rivero, Jean. Le Droit Positif de la Grève dans les Services Publics d'après la Jurisprudence du Conseil d'État. *Droit Social.* November, 1951.

Rovan, Joseph. Le Syndicalisme Allemand et la Cogestion Ouvrière. *Esprit.* December, 1951.

Smogorzowski, K.M. France after the Election. *World Affairs.* October, 1951.

Vialatoux, Joseph. Laïcité de l'État et Question Scolaire. *Esprit.* November, 1951.

Weill-Raynal, Etienne. Le Problème de la Majorité dans la Seconde Legislature et la Régime Electoral. *Revue Socialiste.* December, 1951.

Soviet Union and Eastern Europe

Aron, Raymond. The Leninist Myth of Imperialism. *Partisan Review.* Movember–December, 1951.

Collins, Henry H., Jr. Constitutions of the Soviet Republics. *Science and Society.* Winter, 1951.

Granick, David. Initiative and Independence of Soviet Plant Management. *American Slavic and East European Review.* October, 1951.

Grottiam, Walter. Das Experiment der Landwirschaftlichen Kollektivisierung und Kollektivwirtschaft in der Sowjet-union 1929–50 [The Experience of Agrarian Collectivization and of the Collective Economy in the U.S.S.R.]. *Vierteljahreshefte zur Wirtschaftsforschung.* No. 2, 1950.

Jasny, Naum. *The Soviet Economy during the Plan Era.* Stanford University Press. Food, Research Institute, Stanford University. Miscellaneous Publication 11A. 1951.

The Kremlin Speaks. [Excerpts from statements made by the leaders of the Soviet Union.] Department of State Publication 4264; European and British Commonwealth Series 25; October, 1951.

M.P. Party Discipline in Eastern Europe: The Elimination of Communist Leaders. *World Today.* October, 1951.

MacRae, Donald G. The Bolshevik Ideology: The Intellectual and Emotional Factors in Communist Affiliation. *Cambridge Journal.* December, 1951.

Le Plan Quinquennal Soviétique d'après-Guerre. *Notes et Etudes Documentaires.* No. 1506, July 19, 1951.

Schlesinger, Rudolph. Court Cases as a Source of Information on Soviet Society. *American Slavic and East European Review.* October, 1951.

Skilling, H. Gordon. People's Democracy, the Proletarian Dictatorship and the Czechoslovak Path to Socialism. *American Slavic and East European Review.* April, 1951.

Táborský, Eduard. Local Government in Czechoslovakia, 1918–1948. *American Slavic and East European Review.* October, 1951.

Togliatti, Palmiro. L'Umanità al Bivio. Quadrante Internazionale. *Rinascita.* November, 1951.

Utis, O. Generalissimo Stalin and the Art of Government. *Foreign Affairs.* January, 1952.

Volin, Lazar. The Turn of the Screw in Soviet Agriculture. *Foreign Affairs.* January, 1952.

Zinner, Paul E. Problems of Communist Rule in Czechoslovakia. *World Politics.* October, 1951.

Africa and the Middle East

Boumendjel, Ahmed. L'Algérie Unanime. *Esprit.* October, 1951.

Jeanson, Francis. Le Tournant Algérien. *Esprit.* October, 1951.

Khama, Tshekedi. The Principles of African Tribal Administration. *International Affairs.* October, 1951.

Samuel, Edwin. The Administrative Problems of a New State—Israel 1948–51. *Public Administration Review.* Autumn, 1951.

Tarazi, Salah el dine. La Nouvelle Constitution Syrienne. *Revue du Droit Public.* July–September, 1951.

Asia

India (Republic) Planning Commission. The First Five Year Plan; A Draft Outline. New Delhi, Manager of Publications, 1951.

Joint Committee on Southern Asia. Southern Asia Studies in the United States; A Survey and a Plan. Philadelphia, 1951.

Lanoue, Henri. The Structure of Indo-China. *Science and Society.* Winter, 1951.

Marquis, Edouard. Les Partis Politiques aux Indes: Le Socialisme Indien. *Revue Socialiste.* October, 1951.

Latin America

Albornoz, Miguel. Three Years of Democratic Government in Ecuador. *World Affairs.* Fall, 1951.

Linares Quintana, Segundo V. Parallèle entre les Institutions Politiques des Etats-Unis d'Amérique du Nord et d'Argentine. *Revue du Droit Public.* July–September, 1951.

Scott, Robert E. Argentina's New Constitution: Social Democracy or Social Authoritarianism? *Western Political Quarterly.* December, 1951.

INTERNATIONAL LAW AND RELATIONS

Propaganda in War and Crisis; Materials for American Policy. Edited by Daniel Lerner. (New York: George W. Stewart, Publisher, Inc. 1951. Pp. xvi, 500. $4.75.)

As stated by its author, this book is "the first collection of writings on the use of propaganda in war and crisis, recently rebaptized psychological warfare. They have been selected and arranged with the aim of clarifying some key problems that confront American policy in the present time of high tension . . . [the problems of propaganda goals, organizing the best available means of reaching these goals—evaluating the degree to which activities are contributing to these goals]." As an expert restatement of knowledge of both propaganda policy and administration (i.e., organization and methods) this anthology deserves attention of legislators, administrators, and social scientists concerned with both. The writings are mainly those of social scientists whose theories were found useful in practical government propaganda work in World War II. They include a sprinkling by top-rank journalists such as Elmer Davis and by professional bureaucrats whose writings show how close theory has come to identifying the foundations on which practical work depends. The leading contributors, particularly Dr. Harold D. Lasswell, dean of American propaganda analysis, and Dr. Hans Speier of the Rand Corporation, recognize that this collection is a refresher course, not a new contribution. This reviewer believes it can be useful in the federal government which, since 1945, has provided a structure for the functions of international intelligence and propaganda during this crisis. Formation of a Central Intelligence Agency under the President's National Security Council reflected an appreciation of the need to integrate departmental activities in economic, diplomatic, propaganda and military intelligence. Development of the U. S. Information and Educational Exchange Program in the State Department required the sacrifice of former Assistant Secretary (now Senator) Benton to early congressional misunderstanding. Economic Cooperation Administration played a substantial propaganda accompaniment to its propaganda of the deed in U. S. economic aid to Europe. Latterly, as part of total mobilization, the military Psychological Warfare organization has been reactivated. In the Army it is split off from G-2 under Brig. Gen. Robert A. McClure, with whose comparable agency Dr. Lerner served in Supreme Headquarters, Allied Expeditionary Forces during World War II. (See Daniel Lerner, *Sykewar.*) Mere existence of organization does not eliminate the need for periodic review and evaluation of goals, structure, methods and results. This was recognized by the 81st Congress in Public Law 429 as instrumented by the President's Management Improvement Program. Are "containment" and "stop aggression" adequate propaganda goals? Should operations be conducted outside the policy agency (State Department) as with the Office of War Information during World War II? What is the proper dividing line between civilian and military propaganda functions of the State and Defense Departments, respectively? Such questions have troubled a Congress concerned with the best distribution of government expenditures. They concern all of us who are willing to substitute verbal bullets for the more lethal kind, given reasonable assurance of getting equivalent results. Developing sound answers is a key task of the Budget Bureau, the agencies concerned, and the recently established Psychological Strategy Board. The experience of this book's writers, including compiler Lerner, can supply valuable assistance in this task.—Harold Elsten, *Washington, D. C.*

International Organization. By L. Larry Leonard. (New York: McGraw-Hill Book Company, Inc. 1951. Pp. xv, 630. $6.00.)

International Non-Governmental Organizations; Their Purposes, Methods, and Accomplishments. By Lyman Cromwell White. (New Brunswick: Rutgers University Press. 1951. Pp. xi, 325. $5.00.)

Students of international organizations are always hopeful that new studies in their field will exchange the desert of description and aspiration for analyses of the functions, potentialities, and limitations of these institutions in the existing state of world politics. But they will again have to acknowledge disappointment in the case of the painstakingly written works of L. Larry Leonard and Lyman C. White. Both authors inhabit the desert. Mr. Leonard, after discussing in the briefest manner possible certain characteristics of world politics, devotes nineteen pages to the historical development of international organization, after which he describes in encyclopedic detail the multifarious activities of the League and the United Nations. In so doing he has probably compressed into one volume more information about public international organizations, and the issues that have passed through them, than any previous author. For such an effort he deserves a position of the first rank in the battle of the textbooks. Undergraduate and graduate students will surely suffer him as gladly as they have his predecessors. Mr. White, unfortunately, cannot even aspire to this audience, for his work, although dealing with a dark and potentially interesting corner of international organization, is so esoteric in its detail, and so lacking in any analytical framework, that only the most dedicated scholar will be brought to read it. Even after having examined the activities of such institutions as the International Organization of Industrial Employers, the International Institute of Documentation, and the International Olympic Committee, one wonders what the evidence is for Mr. White's claim "that their international efforts in whatever field, directly or indirectly, promote peace, which is not merely the absence of war but a cooperative way of life." National sovereignty is such a convenient symbol of our present difficulties that neither Mr. Leonard nor Mr. White cares to inquire whether alternative and more fundamental explanations are possible. International organizations, whether public or non-governmental, are so much an end in their realm of discourse that they cannot bring themselves to ask why these institutions come into existence, what functions they serve, and why they collapse. Mr. Leonard and Mr. White are protagonists, not analysts, and as a result they (or rather Mr. Leonard) can only tell us that, if war should come, "it would demonstrate once again the inability of man to devise acceptable political institutions. . . ." The study of international organizations, presented in such a perspective, is likely to remain the barren field that it has been for the past thirty years.—WILLIAM W. KAUFMANN, *Princeton University*.

Contemporary International Relations Readings, 1950–1951. EDITED BY NORMAN J. PADELFORD. (Cambridge: Harvard University Press. 1951. Pp. xii, 393. $2.75.)

Another collection of well chosen readings covering the elements of international relations, the formulation and conduct of foreign policy, United States foreign policy, Soviet foreign policy, and international organization.

Documents on International Affairs, 1939–1946; Volume I, March–September 1939. EDITED BY ARNOLD J. TOYNBEE. (New York: Oxford University Press. 1951. Pp. xxxii, 576. $9.00.)

Edited by Dr. Arnold J. Toynbee, this volume is the first of a series covering the years 1939–46 and prepared as complementary volumes to the *Survey of International Affairs* for the same period. Documents in the present volume cover the major international events of 1939 to the outbreak of World War II in September.

Yearbook of the United Nations, 1950. (New York: Columbia University Press. 1951. Pp. xii, 1068. $12.50.)

The fourth volume, covering the calendar year 1950 rather than the organizational year as in the past. Discusses both structure and substantive work, following the organization of the third volume. Specialized agencies are included.

The Annual Register; A Review of Public Events at Home and Abroad for the Year 1950. BY IVISON S. MACADAM. (New York: Longmans, Green and Co. 1951. Pp. xix, 521. $12.50.)

Substantially unchanged in form, the 192nd issue of this standard British reference work reviews important public events at home and abroad during 1950. Special consideration is given to the Korean invasion and its international ramifications.

Guide to League of Nations Publications; A Bibliographical Survey of the Work of the League, 1920–1947. BY HANS AUFRICHT. (New York: Columbia University Press. 1951. Pp. xix, 682. $10.00.)

Comprehensive bibliographical material on League publications and listing of major documents of related agencies.

Washington Sources on International Affairs. EDITED BY GENEVIEVE COLLINS LINEBARGER AND ASSOCIATES. (College Park, Md.: Bureau of Public Administration, University of Maryland. 1951. Pp. x, 54. Paper $1.00, Cloth $2.00.)

An initial compilation of United States and foreign government and private sources of material located in Washington. A brief note under each agency indicates the type and scope of materials, the hours and conditions of use, and facilities available for their use.

Universities and World Affairs. BY HOWARD E.

Wilson. (New York: Carnegie Endowment for International Peace. 1951. Pp. 88. $1.00.)

A brief discussion of the responsibilities of universities in the conduct of foreign affairs, not limited to a study of curricula in the field of international relations. Contains an exploratory survey by eight universities of their activities influencing international relations, in a broad sense. Concludes with suggestions for self-appraisal by all universities.

Participation of the United States Government in International Conferences, July 1, 1949–June 30, 1950. Prepared in the Division of International Conferences, Department of State. (Washington: U. S. Government Printing Office. 1951. Pp. xviii, 337. $0.70.)

Includes the composition of United States delegations and summaries of the proceedings.

Foreign Relations of the United States; Diplomatic Papers, 1934. Volume I, General; The British Commonwealth. Compiled by the U. S. Department of State. (Washington: U. S. Government Printing Office. 1951. Pp. xcvi, 1030. $3.75.)

Approximately two-thirds of the documents relate to political and economic problems with multilateral aspects, principally disarmament. The other one-third concerns bilateral relations with members of the British Commonwealth of Nations.

Major Problems of United States Foreign Policy, 1951–1952. Prepared by the Staff of the International Studies Group of the Brookings Institution. (Washington: Brookings Institution. 1951. Pp. xiv, 479. Paper $1.50, Cloth $3.00.)

The organization of this volume is similar to that of the earlier ones. An introductory section covers the present international position of the United States. The second part surveys geographical and functional problems. The last part is a problem paper on collective security action under the General Assembly.

The Russian-American Company. By S. B. Okun. Translated by Carl Ginsburg. (Cambridge: Harvard University Press. 1951. Pp. viii, 311. $4.50.)

The story of the Russian-American Company as the instrument of Tsarist Russia's expansion in the northern basin of the Pacific and a study of the specific form of economic dependency created by the Company in the territory it occupied.

The Foreign Policy of Palmerston, 1830–1841. By Sir Charles Webster. (London: G. Bell & Sons, Ltd. 1951. 2 vols. Pp. xii, 914, vi. £3 3s. a set.)

This book by a leading British historian may well be described as the definitive work on Palmerston and British foreign policy in the period when the Eastern Question was the key to much of European diplomacy. Based extensively on archival materials, notably on the Palmerston papers preserved at Broadlands and on other private collections made available for the first time in the interest of this study, the book sheds considerable new light on the shaping of nineteenth century European relationships. As background it is invaluable to the student of modern world politics.—h.l.h.

Germany and American Neutrality, 1939–1941. By H. L. Trefousse. (New York: Bookman Associates. 1951. Pp. 247. $3.75.)

A study of German diplomacy toward the United States for the two years prior to Pearl Harbor, by a Brooklyn College historian. It examines Germany's neutrality policy with reference to "propagandistic attitude, relations with the American opposition, naval affairs, and diplomatic efforts."

German-Soviet Relations Between the Two World Wars, 1919–1939. By Edward Hallet Carr. (Baltimore: Johns Hopkins Press. 1951. Pp. ix, 146. $3.00.)

The six Albert Shaw Lectures on Diplomatic History delivered at Johns Hopkins University in February and March, 1951.

The Saar; Battleground and Pawn. By Frank M. Russell. (Stanford: Stanford University Press. 1951. Pp. xi, 204. $5.00.)

A study of international rivalry and power politics in the Saar Basin. Emphasis is placed on the period during which the area was governed under international auspices. A short bibliography is included.

The Caribbean Commission; Background of Cooperation in the West Indies. By Bernard L. Poole. (Columbia: University of South Carolina Press. 1951. Pp. xix, 303. $5.50.)

A study of regional cooperation between Great Britain, the United States, France, and the Netherlands in the island possessions of the Caribbean. The work contains a comprehensive bibliography.

M.I.T. Strategic Area Maps. EDITED BY NORMAN J. PADELFORD. (Chicago: Denoyer-Geppert Company. 1950. 20 maps.)

A series of black and white maps for use in the study of international relations, foreign policy, political geography and modern world history. These inexpensive maps are available in both wall and notebook sizes and cover such problem areas as the Italian-Yugoslav Boundary Area, U.S.S.R. Mineral Resources, and Political Divisions of India.

Manual of Political Geography. BY JOHN E. KIEFFER. (Chicago: Denoyer-Geppert Company. 1951. Pp. 72.)

A series of exercises (17″×11″) to supplement lectures and reading assignments. They include studies on factors common to all states, such as natural boundaries, population and manpower, strategic resources, etc.; studies on limited areas, such as the United Kingdom, European conflict areas, and the Far East; and studies on international political relationships, such as the Inter-American defense zone, the alliance of western states and the Soviet sphere.

SELECTED ARTICLES AND DOCUMENTS ON
INTERNATIONAL LAW AND RELATIONS

H. ARTHUR STEINER*

University of California (Los Angeles)

ARTICLES

International Politics and National Policies

General

Angus, H. F. The Balance of Power. *Queen's Quarterly.* Autumn, 1951.

Butterfield, Herbert. The Scientific Versus the Moralistic Approach in International Affairs. *International Affairs.* October, 1951.

Craig, Gordon A. The Professional Diplomat and His Problems, 1919–1939. *World Politics.* January, 1952.

Niemeyer, Gerhart. Relevant and Irrelevant Doctrines Concerning International Relations. [A review article.] *World Politics.* January, 1952.

Padelford, Norman J. The Insecurity of States. *Western Political Quarterly.* September, 1951.

Sprung, G. M. C. War and Policy. *Queen's Quarterly.* Autumn, 1951.

Wolfers, Arnold. The Pole of Power and the Pole of Indifference. *World Politics.* October, 1951.

United States

Carleton, William G. Wanted: Wiser Power Politics. *Yale Review.* Winter, 1952.

Earle, Edward Mead. The American Stake in Europe: Retrospect and Prospect. *International Affairs.* October, 1951.

Feis, Herbert. Is the United States Imperialist? *Yale Review.* Autumn, 1951.

Howard, Harry N. The Development of United States Policy in the Near East, 1945–1951. *Department of State Bulletin.* November 19 and 26, 1951.

Hughes, H. Stuart. Transatlantic Misunderstanding: Realities and Abstractions. *Virginia Quarterly Review.* Autumn, 1951.

Quigley, Harold S. Our Dilemma in the Far East. *Virginia Quarterly Review.* Autumn, 1951.

Thompson, Carol L. *et al.* United States Foreign Policy. [A symposium.] *Current History.* November, 1951.

Commonwealth of Nations

Date, Albert. European Unity and the Australian Economy. *Australian Quarterly.* September, 1951.

Menzies, Robert Gordon. The Pacific Settlement Seen from Australia. *Foreign Affairs.* January, 1952.

Patten, J. W. Alternatives to Apartheid in South Africa. *Foreign Affairs.* January, 1952.

Rivers, W. F. Foreign Business in India Today. *Far Eastern Survey.* November 7, 1951.

Roach, James R. Australia and the Japanese Treaty. *Far Eastern Survey.* November 21, 1951.

Zafrullah Khan. Pakistan's Place in Asia. *International Journal.* Autumn, 1951.

Western Europe

Held, Colbert C. The New Saarland. *Geographical Review.* October, 1951.

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* Prepared with the assistance of Mr. Linford D. Riley, Jr.

Karlstrom, Leroy. Beginning and End of Norwegian Neutrality. *Norseman.* September–October, 1951.

Central Europe

Hoffman, George. The Survival of an Independent Austria. *Geographical Review.* October, 1951.

Lowenthal, Richard. German Unity and the Western Counter-offensive. *Twentieth Century.* November, 1951.

Lower, Arthur. The West and Western Germany. *International Journal.* Autumn, 1951.

Some Light on Italo-Yugoslav Relations. *Review of International Affairs* (Beograd). September 26, 1951.

U. S. S. R. and Eastern Europe

Garthoff, Raymond L. The Concept of Balance of Power in Soviet Policy-Making. *World Politics.* October, 1951.

Guillaume, A.-E. L'Albanie, Province des Soviets dans l'Adriatique. *Revue Politique et Parlementaire.* July, 1951.

Hall, Wendy. The Finnish Tightrope. *Fortnightly.* November, 1951.

Hilton, Howard J. Hungary: A Case History of Soviet Economic Imperialism. *Department of State Bulletin.* August 27, 1951.

Macridis, Roy. Stalinism and the Meaning of Titoism. *World Politics.* January, 1952.

Osborn, Frederick. The USSR and the Atom. *International Organization.* August, 1951.

Papagos, *F.-M.* Alexander. Guerrilla Warfare. *Foreign Affairs.* January, 1952.

Relations Between Poland and Eastern Germany. *World Today.* September, 1951.

Smogorzewski, K. M. Soviet Satellite Armies in Europe: II. *Fortnightly.* October, 1951.

Trial of William N. Oatis. *Department of State Bulletin.* August 20, 1951.

Zinner, Paul E. Problems of Communist Rule in Czechoslovakia. *World Politics.* October, 1951.

Middle East and Africa

Alexander, Mark. Communist Strategy in the Middle East. *Twentieth Century.* November, 1951.

Anglo-Egyptian Relations, 1950–51. *World Today.* November, 1951.

Barbour, Nevill. Morocco, Yesterday and Today. *Political Quarterly* (London). October–December, 1951.

Bradley, Kenneth. The Passing of an Epoch. *African Affairs.* October, 1951.

Cheng, B. The Anglo-Iranian Dispute. *World Affairs.* October, 1951.

Economic Relations Between Lebanon and Syria. *Royal Central Asian Journal.* October, 1951.

Feliciano, Florentino. The Anglo-Iranian Oil Dispute. *Philippine Law Journal.* July, 1951.

Gibb, H. A. R. Anglo-Egyptian Relations: A Revaluation. *International Affairs.* October, 1951.

Howard, Harry N. The United Nations and Greece. *Department of State Bulletin.* October 1, 1951.

Hurewitz, Jacob C. The Israeli-Syrian Crisis in the Light of the Arab-Israel Armistice System. *International Organization.* August, 1951.

Khadduri, Majid. Iran's Claim to the Sovereignty of Bahrayn. *American Journal of International Law.* October, 1951.

Malik, Charles. The Near East: The Search for Truth. *Foreign Affairs.* January, 1952.

McGhee, George C. The Oil Problem in the Middle East. *Department of State Bulletin.* October 15, 1951.

Middle East Command vs. National Movements. [*Izvestia,* October 21, 1951.] *Current Digest of the Soviet Press.* November 24, 1951.

Robinson, Richard D. The Lesson of Turkey. *Middle East Journal.* Autumn, 1951.

Wright, Esmond. Abdullah's Jordan: 1947–1951. *Middle East Journal.* Autumn, 1951.

Pacific and Far East

Allison, John M. The Year Ahead in Japan. *Department of State Bulletin.* November 5, 1951.

America in Asia: Balance of Power in the Far East. *Round Table.* September, 1951.

Blakeslee, George H. The Establishment of the Far Eastern Commission. *International Organization.* August, 1951.

The Communist Problem in East Asia: I. An Asian View (M. N. Roy); II. A Western View (W. MacMahon Ball). *Pacific Affairs.* September, 1951.

Dalley, F. E. The Prospect for Asian Trade Unionism. *Pacific Affairs.* September, 1951.

Dulles, John Foster. Security in the Pacific. *Foreign Affairs.* January, 1952.

Eichler, David K. The Future of the New Japan. *Yale Review.* Winter, 1952.

Farley, Miriam S. San Francisco and After. *Far Eastern Survey.* September 26, 1951.

Korea. *Current Notes on International Affairs* (Canberra). August, 1951.

Quigley, Harold S. Evaluating the Japanese Occupation. *Far Eastern Survey.* October 10, 1951.

Rusk, Dean. Foreign Policy Problems in the Pacific. *Department of State Bulletin.* November 19, 1951.

Ryu, Shintaro. The Timing of Japan's Peace Treaty. *Far Eastern Survey.* September 26, 1951.

Takahashi, Ryutaro. Trade Policies of the New Japan. *Foreign Affairs.* January, 1952.

Walker, Richard L. Communist China Looks at the United States. *Yale Review.* Autumn, 1951.

Southeast Asia

Fifield, Russell H. The United States and the Philippines. *South Atlantic Quarterly.* October, 1951.

Finkelstein, Lawrence S. Indonesia's Record in the United Nations. *International Conciliation.* November, 1951.

Katzenbach, Edward L., Jr. Indo-China: A Military-Political Appreciation. *World Politics.* January, 1952.

International Economic Policy and Relations

Berolzheimer, Josef. ERP and Government Finances of the Participating Countries. *Public Finance* (Paris). Vol. 6, No. 1, 1951.

Condliffe, J. B. La Politique du Réarmement et la Zone Sterling. *Politique Étrangère.* July, 1951.

Hill, Walter. Réarmement et Développement des Pays Sous-développés. *Politique Étrangère.* July, 1951.

Linder, Harold. The Problems of Economic Pressure on Soviet Bloc Countries: Economic Relations between Eastern and Western Europe. *Department of State Bulletin.* November 12, 1951.

Lyons, Marvin. Private Investment Abroad and the Federal Income Tax. *Virginia Law Review.* November, 1951.

Netschert, Bruce C. Point Four and Mineral Raw Materials. *Annals of the Association of American Geographers.* June, 1951.

Olson, Ralph E. International Wheat Agreement. *Southwestern Social Science Quarterly.* June, 1951.

Scammell, W. M. The International Monetary Fund: An Interim Judgment. *World Affairs.* October, 1951.

Smith, M. Mead. Progress of the ICFTU in Underdeveloped Areas. *Monthly Labor Review.* September, 1951.

International Law

Branden, Michael. Final Clauses in Multilateral Conventions. *International Law Quarterly.* October, 1951.

Carbonell, Miguel Angel. El Derecho Internacional en Crisis. *Revista de Derecho Internacional.* June 30, 1951.

Chafee, Zechariah. Federal and State Powers under the UN Covenant on Human Rights. *Wisconsin Law Review.* July, 1951.

Claudy, Donald E. The Treaty Power and Human Rights. *Cornell Law Quarterly.* Summer, 1951.

Fleming, William. The Danger in the Covenant on Human Rights. *American Bar Association Journal.* October and November, 1951.

García-Mora, Manuel R. The Colombian-Peruvian Asylum Case and the Doctrine of Human Rights. *Virginia Law Review.* November, 1951.

Green, L. C. The European Convention on Human Rights. *World Affairs.* October, 1951.

Green, L. C. The Nature of the "War" in Korea. *International Law Quarterly.* October, 1951.

Jemolo, Arturo Carlo. I Diritti Umani nella Coscienza Sociale. *Rivista Internazionale di Filosofia del Diritto.* July–September, 1951.

Merle, Marcel. La Convention Européenne des Droits de l'Homme et des Libertés Fondamentales. *Revue du Droit Public et de la Science Politique en France et a l'Étranger.* July–September, 1951.

Morse, Howard N. The Legal Status of the Nearest Pacific Islands. *Dickinson Law Review.* October, 1951,

La Nationalisation de l'Anglo-Iranian Oil Company. *Chronique de Politique Étrangère.* September, 1951.

Reik, Otto E. War Crimes: A Refutation of Objections. *Kentucky Law Journal.* March, 1951.

Trelles, Camilo Barcia. El Derecho de Asilo Diplomático. *Revista de Derecho Internacional.* June 30, 1951,

Truyol, A. Doctrines Contemporaines du Droit des Gens. *Revue Genéral de Droit International Public.* April–June, 1951.

Wilk, Kurt. International Law and Global Ideological Conflict. *American Journal of International Law.* October, 1951.

International Organization

United Nations and Specialized Agencies

Blagg, Mary Evelyn. UNESCO: Product of Contradictions. *Southwestern Social Science Quarterly*. September, 1951.

Goodrich, Leland. The United Nations and Korea. *India Quarterly* (New Delhi). July–September, 1951.

Hovey, Allan, Jr. Obstructionism and the Rules of the General Assembly. *International Organization*. August, 1951.

Issues Before the Sixth General Assembly *International Conciliation*. October, 1951.

Liang, Yuen-li. Recognition by the United Nations of the Representation of a Member State: Criteria and Procedure. *American Journal of International Law*. October, 1951.

Malik, Charles. Human Rights in the United Nations. *International Journal*. Autumn, 1951.

Mirkine-Guetzevitch, B. L'O.N.U. et la Doctrine Moderne des Droits de l'Homme. *Revue Genérale de Droit International Public*. April–June, 1951.

Owen, A. D. K. The Technical Assistance Programme of the United Nations. *Political Quarterly* (London). October–December, 1951.

Sisco, Joseph J. The U.N. and Collective Security: Report of the Collective Measures Committee. *Department of State Bulletin*. November 12, 1951.

Regional Organizations

Europe's International Waterways. *World Today*. October, 1951.

Gozard, Gilles. Le Pool Charbon-acier. *Revue Politique et Parlementaire*. July, 1951.

Hall, Rufus G., Jr. Actions of the Council of the Organization of American States under the Rio Pact. *Southwestern Social Science Quarterly*. September, 1951.

Henry, Noël. Vers une Europe Fédérée. *Revue des Deux Mondes*. October 15, 1951.

Strange, Susan. A European Agricultural Authority. *World Affairs*. October, 1951.

Military and Security Questions

Beavan, John. From Ottawa to Rome. *Twentieth Century*. November, 1951.

Bolles, Blair. NATO—An American View. *International Journal*. Autumn, 1951.

Boyd, Andrew. Reforming the North Atlantic Treaty Organization. *World Affairs*. Fall, 1951.

Extension du Pacte Atlantique—Le Cas de l'Espagne. *Chronique de Politique Étrangère*. September, 1951.

Frankel, J. *The Pacific Pact*. World Affairs. October, 1951.

Kruls, *Gen.* H. J. The Defense of Europe. *Foreign Affairs*. January, 1952.

Liddell-Hart, B. H. Can We Defend the Middle East? *Military Review*. December, 1951.

Martin, Kingsley. NATO—A British View. *International Journal*. Autumn, 1951.

McGhee, George C. Mutual Security in the Near East. *Department of State Bulletin*. October 22, 1951.

Spofford, Charles M. Toward Atlantic Security. *International Affairs*. October, 1951.

Taubenfeld, Howard J. International Armed Forces and the Rule of Law. *American Journal of International Law*. October, 1951.

Thompson, Elizabeth M. World Arms Race. *Editorial Research Reports*. October 3, 1951.

Williams, Benjamin H. (ed.). The Search for National Security. *Annals*. November, 1951.

DOCUMENTS

British Information Services. Official Statements on British Policy. New York, British Information Services, 1951. (ID 1058).

Council of Europe. Consultative Assembly. Third Ordinary Session (First Part), 5th–15th May, 1951. Documents, Working Papers. Strasbourg, 1951.

Food and Agriculture Organization of the United Nations. Conference. Sixth Session. Program of Work, 1952–1953. Rome, 1951. (Doc. C 51/16).

International Commission for the Northwest Atlantic Fisheries. Report by the Chairman concerning the First Annual Meeting, Washington, D. C., April 2–10, 1951. Washington, Government Printing Office, 1951. (Department of State Pub. 4244).

International Monetary Fund. Annual Report, 1951. Washington, 1951.

[North Atlantic Council]. Results of the Meeting of the NAC, Ottawa, September 15–20 [1951]. *Department of State Bulletin*. October 1, 1951.

Organisation for European Economic Cooperation. European Payments Union. First Annual Report of the Managing Board. Paris, OEEC, 1951.

——— Investments in Overseas Territories in Africa, South of the Sahara. Paris, OEEC, 1951.

Pakistan Embassy. India's War Propaganda against Pakistan (since Delhi Agreement, dated August 4, 1950); Correspondence between the Prime Ministers of Pakistan and India, 15th July–11th August, 1951. Washington, 1951.

Pan-American Union. Fourth Meeting of Consultation of Ministers of Foreign Affairs Held in Washington, D. C., March 26–April 7, 1951. Proceedings. Washington, Pan-American Union, 1951. (Conf. and Org. Ser. 12).

United Nations. General Assembly. Agenda Items for the Sixth Session. United Nations, September 7, 1951. (Doc. A/1870).

——— ——— Collective Measures Committee. Report. United Nations, 1951. (Doc. A/1891).

——— ——— Committee on the Draft Convention on Freedom of Information. Report to the Economic and Social Council on the Work of the Session Held at Lake Success, New York, 15 January 1951–7 February 1951. United Nations, 1951. (Doc. A/AC.42/7).

——— ——— International Law Commission. Second Report on a Draft Code of Offenses Against the Peace and Security of Mankind, by J. Spiropoulos, Rapporteur. United Nations, 1951. (Doc. A/CN./4/44).

——— ——— ——— Second Report on the High Seas, by J. P. A. François, Rapporteur. United Nations, 1951. (Doc. A/CN. 4/42).

——— ——— Special Committee on the Balkans. Report. United Nations, 1951. (Doc. A/1857).

——— Library. Cumulative Index to the Resolutions of the General Assembly, First Session through the Fifth Session, 1946 through 1950. United Nations, 1951. (Doc. ST/LIB/SER.D/39).

——— Secretariat. Department of Economic Affairs. Measures for the Economic Development of Under-developed Countries. Report by a Group of Experts Appointed by the Secretary-General. . . . United Nations, 1951. (Doc. E/1986; ST/ECA/10).

——— ——— Department of Public Information. Structure of the United Nations (Fourth Revision). United Nations, 1951.

——— ——— Department of Social Affairs. Yearbook on Human Rights for 1949. United Nations, 1951. (Sales No.: 1951.XIV.1).

——— Secretary-General. Annual Report of the Secretary-General on the Work of the Organization, 1 July 1950–30 June 1951. United Nations, 1951. (Doc. A/1844).

——— ——— Development of a Twenty-Year Programme for Achieving Peace through the United Nations. Progress Report by the Secretary-General. United Nations, 1951. (Doc. A/1902).

——— ——— Information from Non-Self-Governing Territories. . . . Report of the Secretary-General. United Nations, 1951. (Docs. A/1824, August 8, 1951; A/1824/Add.1 August 17, 1951; A/1827, August 3, 1951).

——— Technical Assistance Administration. Services of the United Nations Technical Assistance Administration and How to Obtain Them. United Nations, 1951. (Doc. AT/TAA /3).

United Nations Educational, Scientific and Cultural Organization. Report to the United Nations, 1950–1951. Paris, UNESCO, 1951.

——— Trade Barriers to Knowledge; A Manual of Regulations Affecting Educational, Scientific and Cultural Materials. Paris, UNESCO, 1951. (UNESCO Pub. 847).

United States. Bureau of Foreign and Domestic Commerce. Foreign Trade of the United States, 1936–1949. Washington, Government Printing Office, 1951. (International Trade Series No. 7).

——— Congress. House. Committee on Appropriations. Mutual Security Program Appropriations for 1952. Hearings . . . 82nd Congress, 1st Session. Washington, Government Printing Office, 1951.

——— ——— ——— Committee on Expenditures in the Executive Departments. A Commission to Study Overseas Activities of the Federal Government. Hearings . . . June 11, 12, and August 2, 1951. 82nd Congress, 1st Session. Washington, Government Printing Office, 1951.

——— ——— ——— Committee on Foreign Affairs. An Analysis of the Personnel Improvement Plan of the Department of State. Prepared for the Use of the Committee on Foreign Affairs by the Department of State, April 26, 1951. 82nd Congress, 1st Session. Committee Print. Washington, Government Printing Office, 1951.

——— ——— Senate. Committee on Appropriations. Mutual Security Appropriations for 1952. Hearings . . . on H. R. 5684. 82nd Congress, 1st Session. Washington, Government Printing Office, 1951.

——— ——— ——— ——— United States Aid to Formosa. Staff Report . . . August 3, 1951. 82nd Congress, 1st Session. Subcommittee Print. Washington, Government Printing Office, 1951.

——— ——— ——— Committee on Foreign Relations (Subcommittee). Nomination of Philip C. Jessup. Hearings . . . 82nd Congress, 1st Session. Washington, Government Printing Office, 1951.

——— ——— ——— ——— United States Foreign Aid Programs in Europe. Report of the Subcommittee . . . 82nd Congress, 1st Session. Sen. Doc. No. 56. Washington, Government Printing Office, 1951.

——— ——— ——— Committee on Interstate and Foreign Commerce. Export Controls and Policies in East-West Trade. Report . . . pursuant to S. Res. 365 (81st Congress) (Continued by S. Res. 56, 82nd Congress) . . . 82nd Congress, 1st Session. Senate Report No. 944. Washington, Government Printing Office, 1951.

——— Department of Defense. Semiannual Report of the Secretary of Defense and the Semiannual Reports of the Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, January 1 to June 30, 1951. Washington, Government Printing Office, 1951.

——— Department of State. Conference for the Conclusion and Signature of the Treaty of Peace with Japan, San Francisco, California, September 4–8, 1951. Record of Proceedings. Washington, Government Printing Office, 1951. (Pub. 4392).

——— ——— The Department of State Today. Washington, Government Printing Office, 1951. (Pub. 3969).

——— ——— In Quest of Peace and Security: Selected Documents on American Foreign Policy 1941–1951. Washington, Government Printing Office, 1951. (Pub. 4245).

——— ——— The Kremlin Speaks. Excerpts from Statements Made by the Leaders of the Soviet Union. Washington, Government Printing Office, 1951. (Pub. 4264).

——— ——— Participation of the United States Government in International Conferences July 1, 1949–June 30, 1950. Washington, Government Printing Office, 1951. (Pub. 4216).

——— ——— Point Four Pioneers. Reports from a New Frontier. Washington, Government Printing Office, 1951. (Pub. 4279).

——— ——— Transcript of Round Table Discussion on American Policy Toward China Held in the Department of State, October 6, 7, and 8, 1949. Photo-offset. Washington, [Department of State], 1951.

——— ——— The United Nations and Collective Action Against Aggression. Washington, Government Printing Office, 1951. (Pub. 4287).

——— ——— The United Nations and You. Washington, Government Printing Office, 1951. (Pub. 4289).

——— ——— United States Policy in the Korean Conflict, July 1950–February 1951. Washington, Government Printing Office, 1951. (Pub. 4263).

——— ——— Division of Library and Reference Services. Point Four, Far East; A Selected Bibliography . . . Washington, 1951. (Bibliography No. 57).

——— ——— ——— Point Four, Latin America and European Dependencies in the Western Hemisphere; A Selected Bibliography . . . Washington, 1951. (Bibliography No. 55).

——— Economic Cooperation Administration. The Role of ECA in Southeast Asia. Washington, 1951.

——— ——— Technical Assistance Division. Technical Assistance in Action: Methods, Results, Objectives. Washington, 1951.

——— Office of High Commissioner for Germany. The Exchange of Persons Program in Western Germany. 1951.

POLITICAL THEORY, RESEARCH AND METHODOLOGY

City-State and World State in Greek and Roman Political Theory Until Augustus. By Mason Hammond. (Cambridge: Harvard University Press. 1951. Pp. x, 217. $4.00.)

The "glory that was Greece" and "the grandeur that was Rome" were largely effulgences of the action upon each other of small societies, each an independent and sovereign "city-state." Their domestic economy was a struggle between haves and have-nots, privileged and under-privileged, free and bond. Their foreign relations turned basically upon the employment of war as an instrument of policy, and upon policy as a program of aggression in the course of which equal but not equally powerful allies were degraded into dependent satellites. Even the menace of great monolithic despotisms failed to bring complete internal cohesion or external equity. In Greece, glory and grandeur seem to have gone with domestic conflict and foreign war. The city-states of Greece never achieved stable unity or lasting peace. First Macedon, then Rome, took their sovereignty and independence. But it is also of record that Egypt and Persia and the Seleucid and Ptolemaic empires were monolithic structures and were also qualified by the conflicts, the wars and the final defeat which marked the city-states. On the record, peace may have another price than unity, and spiritual and cultural achievement than peace. In this book, Mr. Hammond studies the price of peace in the Graeco-Roman world until Augustus. There is in his mind today's problem of domestic revolutions, and foreign wars, and the aspirations toward united action to preserve the peace embodied in the United Nations Organization. He thinks that the contemporary world can learn something from the fact that both the Greek and Roman powers tended toward an ever-widening actual interdependence in their economy of things and ideas, but were never able to envision that economy in a political theory adequate to the actuality. While the course of events converted the limited doctrines of Plato and the local preferences of Aristotle into dangerous tangencies, they kept thinking of political and other relationships in terms of those tangencies, and gave their loyalties to the idea of the city-state with its "mixed constitution" and the invidious distinctions intrinsic to its operation. The representative Roman apostle of the "mixed constitution" was Cicero. Himself a provincial always loyal to his home city, he was in Rome a "new man" who had nevertheless successfully run the gamut of the political honors and had been hailed by the people as *parens patriae*. He was a Roman keenly sensitive to the glory that was Greece and all his life a student and emulator of its effulgence in political philosophies, platonic and stoic, particularly. His expression, in his treatises and orations, purports to conceive Roman experience in the frame of reference of Greek political theory. Mr. Hammond makes clear that the frame did not and could not fit the picture. The harmonizing of political structure and responsibility with economic and military developments called for another conception of "insider" and "outsider" than that provided by hellenic doctrine. Cicero's Rome, in the course of the next generation, was liquidated into a monarchic despotism with a god-man for despot and legions for law. Mr. Hammond tells his story in twelve simple, clear, interesting chapters which fuse exposition and narrative with more than usual skill. The book had begun as six lectures addressed to a Boston audience under the auspices of the Lowell Institute. The first four chapters review events as they developed in the history of the Greek city-states and the hellenistic monarchies and the sorts of philosophical doctrines devised to understand the events. Of the remaining eight, two discuss the formation of the Roman constitution and Polybius' application of Greek theory to Roman history, while the last six deal with the life, the career and the ideas of Cicero, the one Roman who purposefully sought to put together a comprehensive political philosophy, partly at least as an *apologia pro vita sua*. One can only hope that the light upon the present, which Mr. Hammond here focusses from the past, may inspire the leading which the times could well use.—H. M. KALLEN, *New School for Social Research.*

Free Enterprise and the Administrative State. BY MARSHALL E. DIMOCK. (University: University of Alabama Press. 1951. Pp. x, 179. $2.50.)

This is another significant volume from the public administration program at the University of Alabama. It is a wise book, containing the material students of public administration in the United States must reckon with in the task of formulating an administrative theory. It continues the Dimock advocacy of "political economy" as the matrix; further, "were [there] such a thing as a general theory of social science . . . it would be found that administrative theory occupies a central position in almost every important problem encountered" (p. vi). The thesis of the five essays is familiar, built on the solid structure of Dimock scholarship in the government-business field. "When concentration of power occurs it affects all institutions; yet the bigger the institutions of business and government become the more they resemble each other; . . . the way to preserve the free enterprise system and popular government is to decentralize—a procedure which, however, has its limitations." Here then, with the recognition of "limitations" (elaborated in the third and fourth essays, "The Limits of Decentralization" and "The Concept of Efficiency," respectively), is a prescription for the domestic ills of the body politic. Dimock wants "individual ownership," "numerous competing units," and "clearer thinking . . . about the philosophy of the State, the economy, and the individual . . ." (p. 167). He calls for a federal agency to discover "the state of competition . . . and monopoly in each important industry"; would provide more funds for antitrust enforcement, secure more effective judicial and administrative methods of dissolving economic amalgams, prohibit mergers, revise patent laws, require federal incorporation of sizeable firms in interstate commerce; and would seek to "stabilize the general price structure through monetary and fiscal policies, but leave individual prices to seek competitive levels and perform their proper function of allocating resources and distributing income." The crucial points in Dr. Dimock's case oscillate between the Scylla and Charybdis of determinism and inevitability, *and* the Ulysses of free, deliberate, human choice. In the poem, Ulysses and human effort made the passage and resolved the issue for romantic literature. Dimock favors the same resolution for social science and society, but *cogito ergo sum* may not be the equivalent of *ad astra per aspera.* Contemporary political science evinces an often magnificent tautology. But does this prosper the jurisdiction of the mind over the nature of the state, and promote human effort in determining the nature of the state? The framework for understanding institutional dynamics and social change is here. But Ulysses will need much more to make the passage between war and socialism. We are told that "The greatest need of American economic leadership . . . is an understanding of the principles underlying social change and the elements of stability; because with more statesmanship in the economy, there would be less need for government" (p. 40). This same understanding, it seems to this reviewer, is also the greatest need of political and social science; and let those who have the answers bring them forth, and quickly. Meantime may many seek the more precise knowledge urged by this small but meaty volume.—G. HOMER DURHAM, *University of Utah.*

Basic Issues of American Democracy; A Book of Readings. EDITED BY HILLMAN M. BISHOP AND SAMUEL HENDEL. (New York: Appleton-Century-Crofts, Inc. 1951. Pp. xiii, 449. $2.25.)

Second edition, paper bound, of book first published in 1948. The present edition is substantially larger, contains more recent selections, and has undergone considerable revision.

Freedom is the Right to Choose; An Inquiry into the Battle for the American Future. BY ARCHIBALD MACLEISH. (Boston: Beacon Press. 1951. Pp. ix, 186. $2.50.)

A book of thirteen essays written at various times since the beginning of World War II, mostly in 1950 and 1951. The volume is essentially a protest against the conception of the United States as a negation of Communism. Fear and hate are uncreative and are not the beacons to light us to the American future. The revolution of today is that of Jefferson and not of Marx.

Hostages of Civilisation; The Social Sources of National Socialist Anti-Semitism. BY EVA G. REICHMANN. (Boston: Beacon Press. 1951. Pp. 281. $3.00.)

An appraisal written at the London School of Economics and Political Science, with financial support from the American Jewish Committee.

Bibliographies in the Social Sciences; A Selected Inventory of Periodical Publications. PREPARED BY UNESCO. (New York: Columbia University Press. 1951. Pp. 129. $0.45.)

Papers dealing with problems in compiling abstracts and bibliographies, followed by descriptions of the main documentation services in the social sciences.

Social Work Education in the United States; The Report of a Study Made for the National Council on Social Work Education. BY ERNEST V. HOLLIS AND ALICE L. TAYLOR. (New York: Columbia University Press. 1951. Pp. xviii, 422. $5.50.)

The scope of this work is broader than indicated by the title. The authors, who are now associated with the U. S. Office of Education, emphasize the obligation of professional groups, including political scientists, to take a more active part in determining the content of general education programs, especially by way of defining the important areas in their respective fields.

The Rockefeller Foundation Directory of Fellowship Awards for the Years 1917–1950. (New York: Rockefeller Foundation. Pp. xix, 286.)

Biographical information on fellows and roster according to latest country of residence and field of interest. Includes four summary tables showing distribution of fellowships by year, country and field of interest.

SELECTED ARTICLES AND DOCUMENTS ON POLITICAL THEORY

FRANCIS G. WILSON
University of Illinois

History and Criticism

Acton, H. B. Comte's Positivism and the Science of Society. *Philosophy.* October, 1951.

Aldridge, A. O. Benjamin Franklin and Philosophical Necessity. *Modern Language Quarterly.* September, 1951.

Altheim, Franz. Patriziat und Plebs. *Die Welt als Geschichte.* Heft 3/4. 1941.

Aron, Raymond. The Leninist Myth of Imperialism. *Partisan Review.* November–December, 1951.

Balsdon, J. P. V. D. The Divinity of Alexander. *Historia.* I/3. 1950.

Bloch, Ernst. Der Student Marx. *Sinn und Form.* III/4. 1951.

Bloom, E. A. and L. D. Joseph Addison and Eighteenth-Century "Liberalism." *Journal of the History of Ideas.* October, 1951.

Bock, Kenneth E. History and Science of Man: An Appreciation of George Cornewall Lewis. *Journal of the History of Ideas.* October, 1951.

Brooks, Van Wyck. Mencken in Baltimore. *The American Scholar.* Autumn, 1951.

Brown, F. A. German Interest in Locke's *Essay,* 1688–1800. *Journal of English and Germanic Philology.* October, 1951.

Campbell, Lily B. Political Ideas in *Macbeth* IV. iii. *Shakespeare Quarterly.* October, 1951.

Cherniss, Harold. The Characteristics and Effects of Presocratic Philosophy. *Journal of the History of Ideas.* July, 1951.

Chevalier, Jacques. Comment Bergson a Trouvé Dieu. *La Revue de Deux Mondes.* 15 October, 1951.

Ch'u Chai. Neo-Confucianism of the Sung-Ming Periods. *Social Research.* September, 1951.

Clark, G. K. The Repeal of the Corn Laws and the Politics of the Forties. *Economic History Review.* No. 1, 1951.

Collins, James. Kierkegaard and Christian Philosophy. *Thomist.* October, 1951.

Costanzo, Joseph F. The Graeco-Roman Politeia—The City of Man. *Fordham Law Review.* June, 1951.

Dorpalen, Andreas. The German Conservatives and the Parliamentarization of Imperial Germany. *Journal of Central European Affairs.* July, 1951.

Erbse, Von Hartmut. Zur Enstehung des Polybianischen Geschichtswerkes. *Rheinisches Museum für Philologie.* 94/2–3. 1951.

Eulau, Heinz. Mover and Shaker: Walter Lippmann as a Young Man. *Antioch Review.* Fall, 1951.

Forbes, Duncan. James Mill and India. *Cambridge Journal.* October, 1951.

Fox, P. W. and Gordon, H. S. The Early Fabians—Economists and Reformers. *Canadian Journal of Economics and Political Science.* August, 1951.

Franchini, R. Morte e Resurrezione della Dioletticа da Hegel a Croce. *Letterature Moderne.* May–June, 1951.

Gicksberg, Charles I. Henry Adams and the Aesthetic Quest. *Prairie Schooner.* Fall, 1951.

Ginsberg, Morris. Durkheim's Ethical Theory. *British Journal of Sociology.* September, 1951.

Grimsley, Ronald. The Idea of Nature in the *Lettres Persanes. French Studies.* October, 1951.

Hayek, F. A. El Común Influjo de Comte y Hegel sobre el Pensamiento Social. *Arbor.* July–August, 1951.

Helbig, Herbert. Fideles Dei et Regis. *Archiv für Kulturgeschichte.* XXXIII/3. 1951.

Hertzler, J. O. E. A. Ross: Sociological Pioneer and Interpreter. *American Sociological Review.* October, 1951.

Hüffer, H. J. Las Relaciones Hispanogermanas durante mil doscientos Años. *Revista de Estudios Politicos.* March–April, 1951.

Ibarguren, Carlos. Psicología de San Martin. *Boletín de la Academia Argentina de Letras.* July–September, 1950.

Ireland, Ralph R. Auguste Comte's Views on Slavery. *Journal of Negro Education.* Fall, 1951.

Isenberg, M. W. Plato's Sophist and the Five Stages of Knowing. *Classical Philology.* October, 1951.

Jacobsen, Jerome V. The Religion of Bolívar. *Mid-America.* October, 1951.

Jaspers, Karl. Kierkegaard, Leben und Werk. *Universitas.* October, 1951.

Juretschke, Hans. Alberto Lista, Representante del Régimen Liberal (1833–1838). *Arbor.* July–August, 1951.

Kaufmann, W. A. The Hegel Myth and Its Method. *Philosophical Review.* October, 1951.

Kellogg, Alfred, L. An Augustinian Interpretation of Chaucer's Pardoner. *Speculum.* July, 1951.

Kessel, Eberhard. Ranke und Burckhardt. *Archiv für Kultergeschichte.* XXXIII/3. 1951.

Kinsolving, Arthur B. The Religious Opinions of Thomas Jefferson. *Historical Magazine.* September, 1951.

Kirk, Russell. Burke and Natural Rights. *Review of Politics.* October, 1951.

Laue, T. H. von. The Industrialization of Russia in the Writings of Sergej Witte. *American Slavic and East European Review.* October, 1951.

Lawrence, E. P. Henry George and British Socialism. *American Journal of Economics and Sociology.* October, 1951.

Leroy, Maxime. Un Gran Aniversario en la Historia del Espíritu Humano: El Bicentenario de la Enciclopedia de Diderot y D'Alembert. *Cuadernos Americanos.* September–October, 1951.

Lewis, Gordon K. The Ideas of Christian Socialists of 1948. *Western Political Quarterly.* September, 1951.

Luthin, Reinhard H. Some Demagogues in American History. *American Historical Review.* October, 1951.

Matl, Josef, Dostoievski y la Crisis de Nuestro Tiempo. *Revista de Estudios Políticos.* May–June, 1951.

Mesnard, Pierre. Andrés Tiraqueau y el Neobartolismo. *Revista de Estudios Políticos.* March–April, 1951.

Mohr, Wolfgang. König und Volk im Germanischen Norden. *Die Welt als Geschichte.* Heft 3/4. 1941.

Mommsen, Theodor. St. Augustine and the Christian Idea of Progress. *Journal of the History of Ideas.* July, 1951.

Munro, D. H. Green, Rousseau, and the Culture Pattern. *Philosophy.* October, 1951.

Neilson, F. Machiavelli: Permanent Member of Parliaments. *American Journal of Economics and Sociology.* October, 1951.

Odlozilik, Otakar. Masaryk's Idea of Democracy. *Toronto Quarterly.* October, 1951.

Orcibal, J. Les Spirituels Français et Espagnols Chez John Wesley. *Revue de l'Histoire des Religions.* January–March, 1951.

Pappe, H. O. Wakefield and Marx. *Economic History Review.* No. 1, 1951.

Pasquinelli, A. La Fortuna di Schopenhauer. *Rivista di Filosofia.* July–September, 1951.

Popkin, R. H. Hume and Kierkegaard. *Journal of Religion.* October, 1951.

Pouilliart, R. Paul Bourget et l'Esprit de Décadence. *Les Lettres Romanos.* August, 1951.

Power, Edward John. Brownson's Theory of Education. *Records of the American Catholic Historical Society.* September, 1951.

Raubitschek, A. E. The Origin of Ostracism. *American Journal of Archaeology.* July, 1951.

Reinhard, Ewald. Adam von Müller und Franz Bucholtz. *Zeitschrift für die Gesamte Staatswissenschaft.* Bd. 107, Heft 3, 1951.

Roover, R. de. Monopoly Theory Prior to Adam Smith. *Quarterly Journal of Economics.* November, 1951.

Rottenstreich, Nathan. Marx Thesen über Feuerbach. *Archiv für Rechts- und Sozialphilosophie.* XXXIX/3. 1951.

Ruelens, J. Agriculture et Capitalisme à l'Époque de Ciceron. *Les Études Classiques.* October, 1951.

Smelser, Marshall. The Jacobin Phrenzy: Federalism and the Menace of Liberty, Equality and Fraternity. *Review of Politics.* October, 1951.

Stegemann, Viktor. Christentum und Stoizismus in Kampf um die Geistigen Lebenswert in 2. Jahrhundert nach Christus. *Die Welt als Geschichte.* Heft 5/6. 1941.

Taylor, O. H. Schumpeter and Marx: Imperialism and Social Classes in the Schumpeterian System. *Quarterly Journal of Economics.* November, 1951.

von Schachermeyr, F. Marathon und die Persische Politik. *Historische Zeitschrift.* August, 1951.

Walbank, F. W. The Problem of Greek Nationality. *Phoenix.* Summer, 1951.

Yolton, John W. Locke's Unpublished Marginal Replies to John Sergeant. *Journal of the History of Ideas.* October, 1951.

Legal Theory and Public Law Issues

Bondy, Otto. Logical and Epistemological Problems in Legal Philosophy. *Australasiam Journal of Philosophy.* August, 1951.

Brusiin, Otto. Das Deduktive im Juristischen Denken. *Archiv für Rechts- und Sozialphilosophie.* XXXIX/3. 1951.

Carlston, Kenneth L. Anti-Trust Policy: A Problem in Statecraft. *Columbia Law Review.* November, 1951.

Gómez Arboleya, Enrique. El Racionalismo

Júridico y los Códegos Europeos. *Revista de Estudios Políticos.* May–June, 1951.

Lévy-Bruhl, Henri. Sur la Laïcisation du Droit a Rome. *Revue Internationale des Droits de l'Antiquité.* Vol. 6, 1951.

Lucey, Francis E. Holmes—Liberal, Humanitarian, Believer in Democracy? *Georgetown Law Journal.* May, 1951.

Mirkine-Guetzevitch, B. L'O. N. U. et la Doctrine Moderne des Droits de l'Homme. *Revue Genérale de Droit International Public.* April–June, 1951.

Orfield, Lester, B. Icelandic Law. *Dickinson Law Review.* October, 1951.

Patterson, Edwin, W. Historical and Evolutionary Theories of Law. *Columbia Law Review.* June, 1951.

Piovani, Pietro. Die Jüngste Rechtsphilosophie in Italien. *Archiv für Rechts- und Sozialphilosophie.* XXXIX/3. 1951.

Shannon, Edgar, F., Jr. Mediaeval Law in *The Tale of Gamelyn. Speculum.* July, 1951.

Thomas, A. V. W. and A. J. Equality of States in International Law. *Virginia Law Review.* October, 1951.

Truyol, A. Doctrines Contemporaines du Droit des Gens. *Revue Genérale de Droit International Public.* April–June, 1951.

Wilk, Kurt. International Law and Global Ideological Conflict. *American Journal of International Law.* October, 1951.

Special Study and Analysis

Armstrong, P. C. The Economics of Morality. *Dalhousie Review.* Summer, 1951.

Bouscaren, Anthony T. Survey of Christian Democracy in Europe. *Thought.* Autumn, 1951.

Brandon, G. F. History's Challenge to Theology. *Hibbert Journal.* October, 1951.

Bunche, Ralph. Equality without Qualifications. *Phylón.* Third Quarter, 1951.

Butterfield, Herbert. The Scientific Versus the Moralistic Approach in International Affairs. *International Affairs.* October, 1951.

Buyssen, Th. Études Critiques: la Querelle de l'Humanisme. *Revue de Metaphysique et de Morale.* January–March, 1951.

Corvez, M. Existence et Essence. *Revue Thomiste.* LI/2, 1951.

Cóssio, Carlos. La Actual Estructura de Occidente. *Revista de Estudios Políticos.* July–August, 1951.

Danielou, Jean. Marxist History and Sacred History. *Review of Politics.* October, 1951.

Dansette, Adrien. Le Catholicisme Social. *Hommes et Mondes.* October, 1951.

Dansette, Adrien. La Politique Religieuse du Bloc National. *Études.* September, 1951.

Desanti, Jean T. La Science, Forme de la Conscience Social. *Cahiers du Communisme.* October, 1951.

Dirks, Walter. Die Christenheit und Europa. *Frankfurter Hefte.* September, 1951.

Dondeyne, Albert. Les Problèmes Philosophiques Soulevés dans l'Encyclique "Humani Generis." (II). *Revue Philosophique de Louvain.* August, 1951.

Dodd, Stuart C. On Classifying Human Values. *American Sociological Review.* October, 1951.

Eliot, T. S. The Aims of Education (4). *Measure.* Fall, 1951.

Feis, Herbert. Is the United States Imperialist? *Yale Review.* Autumn, 1951.

Flori, Ezio. L'Enciclica "Humani Generis" e la Dottrina dell'Evoluzione. *Nuova Antologia.* September, 1951.

Friedgood, Harry B. On the Psychological Aspects of Authoritarian and Democratic Political Systems. *American Scientist.* July, 1951.

Gilbert, Felix. The "New Diplomacy" of the Eighteenth Century. *World Politics.* October, 1951.

Goldschmidt, Walter. Ethics and the Structure of Society. *American Anthropologist.* October–December, 1951.

Goldthorpe, J. E. An Examination of the Concept of Need. *Sociological Review.* XLII/10, 1950.

Hale, Robert L. Economic Liberty and the State. *Political Science Quarterly.* September, 1951.

Harrigan, Anthony. Our Liberal Elders. *South Atlantic Quarterly.* October, 1951.

Hoffman, Paul G. and Others. Basic Elements of a Free Society. (I). *Harvard Business Review.* November, 1951.

Kariel, Henry S. Democracy Limited: Irving Babbitt's Classicism. *Review of Politics.* October, 1951.

Kean, Charles D. The Existential Basis for Religion [Gabriel Marcel]. *Religion in Life.* Autumn, 1951.

Khumani, K. P. Welfare State. *Modern Review.* October, 1951.

Lawrence, Nathaniel. A Note on Value Statements. *Journal of Philosophy.* September 27, 1951.

Lener, S. Religione di Stato e Principio Democratico nella Costituzione Italiana. *La Civiltà Cattolica.* 15 September, 1951.

Leon, Philip. Existentialism and Objectivity. *Hibbert Journal.* October, 1951.

Loewenberg, R. D. Karl Jaspers on Psychotherapy. *American Journal of Psychotherapy.* October, 1951.

Löwith, Karl. Skepsis und Glaube. *Der Neue Schweizer Rundschau.* October, 1951.

Maritain, Jacques. The Problem of World Government. *Dublin Review.* Third Quarter, 1951.

Martin, Von A. von. Die Bürgerlich-Kapitalistische Dynamik der Neuzeit seit Renaissance und Reformation. *Historische Zeitschrift.* August, 1951.

Melden, A. J. Two Comments on Utilitarianism. *Philosophical Review.* October, 1951.

Nakhnikian, George. Value and Obligation in Mill. *Ethics.* October, 1951.

Norman, John. Politics and Religion in the Italian Labor Movement. *Industrial and Labor Relations Review.* October, 1951.

Rabinowitz, R. W. Conscientious Objection and Compulsory R.O.T.C. *Journal of Higher Education.* October, 1951.

Ranney, Austin and Kendall, Willmoore. Democracy: Confusion and Agreement. *Western Political Quarterly.* September, 1951.

Ransom, C. W. Church and State in Asia Outside China. *International Review of Missions.* October, 1951.

Riemer, Neal. The Case for Bare Majority Rule. *Ethics.* October, 1951.

Robinson, Richard, Dr. Popper's Defense of Democracy. *Philosophical Review.* October, 1951.

Salter, Arthur. British Conservatism Today. *Yale Review.* Autumn, 1951.

Schalk, Franz. Über Societas und Societé. *Deutsches Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte.* XXV/3. 1951.

Shannon, David, A. The Socialist Party Before the First World War: An Analysis. *Mississippi Valley Historical Review.* September, 1951.

Skilling, H. Gordon. People's Democracy in Soviet Theory—II. *Soviet Studies.* October, 1951.

Skinner, G. W. The New Sociology in China. *Far Eastern Review.* August, 1951.

Smith, N. A. Theory and Practice of the Welfare State. *Political Quarterly.* October–December, 1951.

Smith, T. V. The Double Discipline of Democracy. *Virginia Quarterly Review.* Autumn, 1951.

Spender, Stephen. British Intellectuals in the Welfare State. *Commentary.* November, 1951.

Stedman, M. S. and Sonthoff, H. Party Responsibility—A Critical Inquiry. *Western Political Quarterly.* September, 1951.

Tannenbaum, Frank. The American Tradition in Foreign Relations. *Foreign Affairs.* October, 1951.

Tierno Galván, Enrique. La Conversion a la Inversa. *Revista de Estudios Politicos.* July–August, 1951.

Tsanoff, Radoslav A. Moral Principle and National Interest. *Ethics.* October, 1951.

Tugwell, R. G. Beyond Nationalism. *Political Quarterly.* October–December, 1951.

Underhill, Frank H. Arnold Toynbee, Metahistorian. *Canadian Historical Review.* September, 1951.

Vycheslavzeff, Boris. Communion Réélle et Communisme. *L'Age Nouveau.* October, 1951.

Yanitelli, Victor R. A Church-State Controversy. *Thought.* Autumn, 1951.

Zavala, Silvio. El Americanismo de Altamira. *Cuadernos Americanos.* September–October, 1951.

SELECTED ARTICLES AND DOCUMENTS ON

METHODOLOGY AND RESEARCH IN THE SOCIAL SCIENCES

HERBERT A. SIMON

Carnegie Institute of Technology

Philosophy of Social Science

Bain, Read. Action Research and Group Dynamics. *Social Forces.* October, 1951.

Darling, F. Fraser. The Ecological Approach to the Social Sciences. *American Scientist.* April, 1951.

Kapp, K. William. Political Economy and Psychology. *Kyklos.* Number 4, 1950.

Research Methods and Organization

Carter, Launor; Haythorn, William; Meirowitz, Beatrice; and Lanzetta, John. The Relation of Categorizations and Ratings in the Observation of Group Behavior. *Human Relations.* Number 3, 1951.

Eaton, Joseph W. Social Processes of Professional Teamwork. *American Sociological Review*. October, 1951.

Edwards, Ronald S. Industrial Technologists and the Social Sciences. *Economica*. November, 1951.

Glock, Charles Y. Some Implications of Organization for Social Research. *Social Forces*. December, 1951.

Katz, Daniel. Studies in Social Psychology in World War II: A Special Review. *Psychological Bulletin*. November, 1951.

Lee, Alfred McClung. Individual and Organizational Research in Sociology. *American Sociological Review*. October, 1951.

Riesman, David. Some Observations on Social Science Research. *Antioch Review*. September, 1951.

Robinson, W. S. The Logical Structure of Analytic Induction. *American Sociological Review*. December, 1951.

Sibley, Elbridge. Education in Social Science and the Selection of Students for Training as Professional Social Scientists. *Items* (Social Science Research Council). September, 1951.

Motivation and Personality

Bovard, Everett W., Jr. The Experimental Production of Interpersonal Affect. *Journal of Abnormal and Social Psychology*. October, 1951.

Fenchel, Gerd H.; Monderer, Jack H.; and Hartley, Eugene L. Subjective Status and the Equilibration Hypothesis. *Journal of Abnormal and Social Psychology*. October, 1951.

Grace, Harry A. Hostility, Communication, and International Tension: I. The Hostility Inventory. *Journal of Social Psychology*. August, 1951.

Mosteller, Frederick, and Nogee, Philip. An Experimental Measurement of Utility. *Journal of Political Economy*. October, 1951.

Negley, Glenn. Cybernetics and Theories of Mind. *Journal of Philosophy*. September 13, 1951.

Opinions and Attitudes

Ackoff, Russell L., and Pritzker, Leon. The Methodology of Survey Research. *International Journal of Opinion and Attitude Research*. Fall, 1951.

Bernberg, Raymond E. The Direction of Perception Technique of Attitude Measurement. *International Journal of Opinion and Attitude Research*. Fall, 1951.

Janis, Irving L.; Lumsdaine, Arthur A.; and Gladstone, Arthur I. Effects of Preparatory Communications on Reactions to a Subsequent News Event. *Public Opinion Quarterly*. Fall, 1951.

Michael, Donald N. The Use of Culture Concepts in the Functional Analysis of Public Opinion. *International Journal of Opinion and Attitude Research*. Fall, 1951.

Riley, Matilda White, and Riley, John W., Jr. A Sociological Approach to Communications Research. *Public Opinion Quarterly*. Fall, 1951.

Group Behavior

Babchuk, Nicholas, and Goode, William J. Work Incentives in a Self-Determined Group. *American Sociological Review*. October, 1951.

Carter, Launor; Haythorn, William; Shriver, Beatrice; and Lanzetta, John. The Behavior of Leaders and Other Group Members. *Journal of Abnormal and Social Psychology*. October, 1951.

Cousins, A. N. Social Equilibrium and the Psychodynamic Mechanisms. *Social Forces*. December, 1951.

Darley, John G.; Gross, Neal; and Martin, William E. Studies of Group Behavior: Stability, Change, and Interrelations of Psychometric and Sociometric Variables. *Journal of Abnormal and Social Psychology*. October, 1951.

Moos, Malcolm, and Koslin, Bertram. Political Leadership Re-Examined: An Experimental Approach. *Public Opinion Quarterly*. Fall, 1951.

Rogers, Maria. The Human Group: A Critical Review with Suggestions for Some Alternate Hypotheses. *Sociometry*. February, 1951.

Rose, Arnold M. The Social Psychology of Desertion from Combat. *American Sociological Review*. October, 1951.

Schachter, Stanley; Ellertson, Norris; McBride, Dorothy; and Gregory, Doris. An Experimental Study of Cohesiveness and Productivity. *Human Relations*. Number 3, 1951.

Culture and Institutions

Christie, Richard, and Garcia, John. Subcultural Variation in Authoritarian Personality. *Journal of Abnormal and Social Psychology*. October, 1951.

Cochran, Thomas C. The Executive Mind: The Role of Railroad Leaders, 1845–1890. *Bulletin of the Business Historical Society*. December, 1951.

Davis, Arthur K. Conflict Between Major Social Systems: The Soviet-American Case. *Social Forces*. October, 1951.

Dotson, Floyd. Patterns of Voluntary Association Among Urban Working-Class Families. *American Sociological Review*. October, 1951.

Eisenstadt, S. N. The Place of Elites and Primary Groups in the Absorption of New Immigrants in Israel. *American Journal of Sociology*. November, 1951.

Friedgood, Harry B. On the Psychological Aspects of Authoritarian and Democratic Political Systems. *American Scientist*. July, 1951.

Kerlinger, Fred N. Decision-Making in Japan. *Social Forces*. October, 1951.

Leiserson, Avery. Systematic Research in Political Behavior: A Preliminary Report. *Items* (Social Science Research Council). September, 1951.

Lemmon, Sarah McCulloch. The Ideology of the "Dixiecrat" Movement. *Social Forces*. December, 1951.

Rose, Arnold M. Rumor in the Stock Market. *Public Opinion Quarterly*. Fall, 1951.

Sjoberg, Gideon. Are Social Classes in America Becoming More Rigid? *American Sociological Review*. December, 1951.

Value Theory and Social Policy

Armstrong, W. E. Utility and the Theory of Welfare. *Oxford Economic Papers*. October, 1951.

Arrow, Kenneth J. Alternative Approaches to the Theory of Choice in Risk-Taking Situations. *Econometrica*. October, 1951.

Case, Fred E. The Budget as a Measure of the Federal Urban Housing Programs. *Journal of Finance*. December, 1951.

Cheng, Ch'eng-K'un. Assimilation in Hawaii and the Bid for Statehood. *Social Forces*. October, 1951.

Colberg, Marshall R. Priorities, Allocations and Limitations. *Southern Economic Journal*. October, 1951.

Fowke, V. C. Progress, Poverty, and Inter-Regional Disequilibrium. *Canadian Journal of Economics and Political Science*. November, 1951.

Katz, Joseph. How to Resolve Disagreement in "Attitude." *Journal of Philosophy*. November 8, 1951.

Ritter, Lawrence S. Alternative Anti-Inflationary Fiscal Policies. *Review of Economic Studies*. Number 3, 1950–51.

Warren, Edgar L. Thirty-Six Years of "National Emergency" Strikes. *Industrial and Labor Relations Review*. October, 1951.

Wendt, Paul F., and Rathbun, Daniel B. The Role of Government in the San Francisco Bay Area Mortgage Market. *Journal of Finance*. December, 1951.

OTHER BOOKS RECEIVED

AYSUBEL, HERMAN, BREBNER, J. BARTLET AND HUNT, ERLING M. (EDS.). *Some Modern Historians of Britain*. New York: Dryden Press. 1951. Pp. xiv, 384. $5.00.

BILMANIS, ALFRED. *A History of Latvia*. Princeton: Princeton University Press. 1951. Pp. x, 441. $6.00.

BROWNELL, EMERY A. *Legal Aid in the United States; A Study of the Availability of Lawyers' Services for Persons Unable to Pay Fees*. Rochester, N. Y.: Lawyers Co-operative Publishing Company. 1951. Pp. xxiv, 333. $4.50.

BUCKLEY, WILLIAM F., JR. *God and Man at Yale; The Superstitions of "Academic Freedom."* Chicago: Henry Regnery Company. 1951. Pp. xix, 240. $3.50.

CASSIRER, ERNST. *The Philosophy of Enlightenment*. Trans. by FRITZ C. A. KOELLN and JAMES P. PETTEGROVE. Princeton: Princeton University Press. 1951. Pp. xiii, 366. $6.00.

CLOUGH, SHEPARD B. *The Rise and Fall of Civilization; An Inquiry into the Relationship between Economic Development and Civilization*. New York: McGraw-Hill Book Company. 1951. Pp. xiii, 291. $4.50.

DANGERFIELD, GEORGE. *The Era of Good Feelings*. New York: Harcourt, Brace and Company. 1952. Pp. xiv, 525. $6.00.

FORSTER, E. M. *Two Cheers for Democracy*. New York: Harcourt, Brace and Company. 1951. Pp. xvi, 363. $4.00.

HINSLEY, F. H. *Hitler's Strategy*. New York: Cambridge University Press. 1951. Pp. xii, 254. $3.75.

JASNY, NAUM. *The Soviet Economy During the Plan Era*. Stanford: Stanford University Press. 1951. Pp. xi, 116. $2.00.

——— ———. *The Soviet Price System*. Stanford: Stanford University Press. 1951. Pp. ix, 179. $2.00.

JONES, JESSE H., WITH EDWARD ANGLY. *Fifty Billion Dollars; My Thirteen Years with the*

RFC (1932–1945). New York: Macmillan Company. 1951. Pp. xvi, 631. $6.00.

LOCKHART, R. H. BRUCE. *Jan Masaryk; A Personal Memoir*. New York: Philosophical Library. 1951. Pp. 80. $5.75.

MUNTZ, T. G. A. *Turkey; Economic and Commercial Conditions in Turkey*. New York: Philosophical Library. 1951. Pp. x, 194. $4.75.

PATON, GEORGE WHITECROSS. *A Text-Book of Jurisprudence*. New York: Oxford University Press. Second Edition. 1951. Pp. xiii, 527. $6.00.

PENDELL, ELMER. *Population on the Loose*. New York: Wilfred Funk, Inc. 1951. Pp. xxiii, 398. $3.75.

PENROSE, EDITH TILTON. *The Economics of the International Patent System*. Baltimore: Johns Hopkins Press. 1951. Pp. xv, 247. $4.00.

PLOSCOWE, MORRIS. *Sex and the Law*. New York: Prentice-Hall, Inc. 1951. Pp. ix, 310. $3.95.

PRIBRAM, ALFRED FRANCIS. *Austria-Hungary and Great Britain, 1908–1914*. Trans. by IAN D. F. MORROW. New York: Oxford University Press. 1951. Pp. xiii, 328. $4.50.

RUNES, DAGOBERT D. *Spinoza Dictionary*. New York: Philosophical Library. 1951. Pp. xiv, 309. $5.00.

SIMMONS, FREDERIC L. *Mobilization and Inflation*. Claremont, Calif.: Published by Claremont College for the four Associated Colleges. 1951. Pp. xiii, 98. $2.75.

SRAFFA, PIERO (ED.). *The Works and Correspondence of David Ricardo: Volume I, On the Principles of Political Economy and Taxation; Volume II, Notes on Malthus's Principles of Political Economy; Volume III, Pamphlets and Papers, 1809–1811; Volume IV, Pamphlets and Papers, 1815–1823*. New York: Cambridge University Press. 1951. Pp. lxii, 447; xviii, 463; viii, 437; vi, 422. $4.75 ea.

TAYLOR, GEORGE ROGERS. *The Transportation Revolution, 1815–1860*. New York: Rinehart & Company, Inc. 1951. Pp. xvii, 490. $4.50.

VOGT, V. OGDEN. *Cult and Culture; A Study of Religion and American Culture*. New York: Macmillan Company. 1951. Pp. ix, 269. $3.25.

WALLACE, DAVID DUNCAN. *South Carolina; A Short History, 1520–1948*. Chapel Hill: University of North Carolina Press. 1951. Pp. xi, 753. $7.50.

WOODWARD, W. E. *Years of Madness*. New York: G. P. Putnam's Sons. 1951. Pp. viii, 311. $4.00.

NEWS AND NOTES

PROFESSIONAL CONFERENCES AND INSTITUTES

The Executive Bureau of the International Committee for Comparative Law held its 1951 meeting at the Faculty of Law of the University of Paris on October 4 and 5. With Dean Juliot de la Morandière, representing France, in the chair, the group comprised: Alexis C. Coudert (the United States); James Fawcett, representing Professor H. C. Gutteridge (the United Kingdom); W. Farag Bey (Egypt), for the Near and Middle East; P. de Sola Canizares (Spain), for Latin America and Spain; H. Ussing (Denmark), for Northern and Eastern Europe; and Professor Vallindas (Greece), for the Balkans. Under the Charter the representatives of France, the United Kingdom and the United States have assured places for the formative period, which is deemed to be six years. The others who represent regions are elected for three-year terms.

The project, begun in January, 1951, on the teaching of law in eight countries chosen by UNESCO for its general survey of the teaching of the social sciences, is nearing completion. The statement of the *rapporteur* (Professor Niboyet) will be discussed at the next meeting of the Bureau, to be held July 21–31, 1952, at the University of Cambridge, England. The occasion offered by Cambridge is its international fortnight of comparative law, to which law professors from much of the western world have been invited. In addition to legal education, the agenda includes topics of vital current interest involving the relation of law to social problems. Through the generosity of the Carnegie Corporation of New York, an American delegation will attend, each member being chosen because of his special interest in an item on the agenda. This delegation will include: Albert A. Ehrenzweig (California), John N. Hazard (Columbia), Karl Llewellyn (Chicago), Myres S. McDougal (Yale), Max Rheinstein (Chicago), Stefan A. Riesenfeld (Minnesota), Arthur von Mehren (Harvard) and Hessel E. Yntema (Michigan).

The documentation program announced a year ago proceeds under the direction of Kurt Lipstein (University of Cambridge). William S. Barnes (Harvard) is responsible for the material from the United States. When completed, the report should provide teachers of government and law with a catalogue in English and French of the sources of statutes, administrative regulations, codes and judicial decisions, as well as with the names of the principal law centers, the law reviews and the existing bibliographies, for the principal countries of the world. A companion project will be started to complete by 1954 introductions to the legal systems in force in Scandinavia, France, Spain and Latin America, and the Union of Soviet Socialist Republics. These volumes will be designed to explain to outsiders how persons trained in law in these systems think through problems. Since most political scientists in these regions are trained initially in law, the project is expected to be of value to political scientists generally.

Countries which are now represented through their professional societies on the International Committee are: Argentina, Belgium, Brazil, France, Germany, Greece, Haiti, Italy, Nicaragua, Peru, Spain, Sweden, United Kingdom, United States and Uruguay. The professional society for the United States is the American Foreign Law Association, of which Phanor J. Eder is president.—John N. Hazard.

An exploratory Conference on the Systematic Study of Political Science was organized in the fall of 1951 by the Social Science Research Council. The exploratory group is composed of Charles S. Hyneman, Northwestern University, chairman; David Easton, University of Chicago; Samuel J. Eldersveld, University of Michigan; Henry Hart, University of Wisconsin; Austen Ranney, University of Illinois; Donald Smithburg, Illinois Institute of Technology; and George I. Blanksten, Northwestern University. Meetings of the group have been held at Northwestern University (November 5) and the Illinois Institute of Technology (December 1).

Vanderbilt University, in cooperation with the Nashville United Nations Association, conducted the fourth annual Institute on World Affairs in Nashville, Tennessee, November 12–14, 1951. Round tables were held each morning, and there was a lecture, followed by an open forum, each evening. Leland M. Goodrich of Columbia University, Alfred Crofts of the University of Denver and William G. Carleton of the University of Florida were the leaders for the round-table discussions, and each of them delivered an evening lecture.

Educators from seventeen colleges and universities in Virginia, North Carolina, West Virginia and the District of Columbia discussed the role of universities in world affairs at a conference held at the University of Virginia November 18–20, 1951. Current experience in instruction in the field of world affairs, in general as well as in technical and professional education, was analyzed. Attention was also given to extracurricular activities for education in international relations and to the programs for foreign students in American universities and American students abroad. Among those to address the Conference were Howard E. Wilson, executive associate of the Carnegie Endowment for International Peace, and Colgate W. Darden, president of the University of Virginia. The Conference was sponsored by the Carnegie Endowment for International Peace, while the staff of the Woodrow Wilson School of Foreign Affairs of the University of Virginia served as hosts for the visiting delegates.

OTHER ACTIVITIES

The *Public Opinion Quarterly*, founded in 1936 under the editorship of Harwood L. Childs and later edited by W. Phillips Davison, has been reorganized under the editorship of Richard C. Snyder, associate professor of politics at Princeton University. Edgar Lane, instructor in politics at Princeton, has been named associate editor. The reorganized editorial board includes two political scientists: Harwood L. Childs and Gabriel A. Almond, both of Princeton. In addition, it includes representatives from the fields of sociology and social psychology. The *Quarterly* will continue to be published by the Princeton University Press.

The Inter-University Case Program, successor to the Committee on Public Administration Cases, has announced several awards for outstanding case studies in public administration and policy formation. The awards are to be made on a competitive basis, and are to be restricted to graduate and undergraduate students. The studies submitted in the competition must have been written in connection with academic courses, or must form parts of, or be based upon, theses or dissertations submitted in partial fulfillment of academic requirements. An award of $100 will be given for the most meritorious case study among those submitted in each of the following fields: (1) local government; (2) field office operations of state or federal governments; (3) intergovernmental relations in the United States; and (4) international organization. The closing date for submitting manuscripts is September 30, 1952. Requests for information in regard to the rules governing the competition should be addressed to the Inter-University Case Program, 3 Thomas Circle, Washington 5, D. C.

A case study of the United States Department of Commerce is being presented by the School of Public Administration of Florida State University during the spring semester of 1952. The special course consists of a series of more than fifty lectures by officials of the Department, and is designed to emphasize the Department's organization, programs, procedures and problems. The opening lecture was given on February 25 by the Honorable Charles Sawyer, Secretary of Commerce.

Seven full-time members of the department of government and politics of the University of Maryland are participating in that University's educational program for military personnel abroad. Assistant Professors Roscoe Baker, John D. Hall, W. C. Breckenridge Lambert and Harrison Smith, and Instructors John F. Parr and Donald J. Whitney, have been assigned to posts in Europe. Richard S. Newcomer, instructor, has been assigned to a post in Newfoundland.

Alpheus T. Mason, McCormick Professor of Jurisprudence at Princeton University, gave the opening lecture, entitled "American Individualism: Fact and Fiction," at Northwestern University at the sixth and final Centennial Conference on the Individual, the Group and Government.

Kenneth Warner, director of the Civil Service Assembly of the United States and Canada, delivered a series of lectures in public administration at Florida State University during the week of November 5, 1951.

Wallace Sayre, professor of government at the College of the City of New York and editor of the *Public Administration Review*, delivered the annual lectures in public administration at the University of Alabama, December 3–7, 1951. The subject of the 1951 series of lectures was "Politics and Administrative Organization."

Eric Voegelin of Louisiana State University delivered several lectures in Washington, D. C., and Maryland during the month of February, 1952. On February 12, he gave a lecture on the "History of Ideas and Periods of Civilization" before the Humanities Club of Washington. On February 13 and 14, he addressed the Political Science Seminar and the History of Ideas Club at the Johns Hopkins University on the respective topics, "Political Gnosis" and "The Discovery of the Soul—in Ancient and Modern Philosophy." On February 15 and 17, he gave two lectures at St. Johns College on the respective topics, "The Wrath of Achilles" and "The Nature of Modernity."

Asher N. Christensen delivered a series of lectures on American political parties and politics at the Salzburg Seminar in Austria during the month of February, 1952.

Josef L. Kunz of the University of Toledo delivered an address on "The Status of the Philosophy of Law in the World at Mid-Twentieth Century and the Contribution of Mexico" in Mexico City in September, 1951. The occasion for the address was the observance of the four hundredth anniversary of the founding of the National University of Mexico.

Philip E. Jacobs, associate professor of political science at the University of Pennsylvania, recently delivered a series of lectures before international service seminars conducted by the American Friends Service Committee. The topic for the series was: "The Functioning of International Organization as an Instrument in Peace Making."

APPOINTMENTS AND STAFF CHANGES

Ethan P. Allen, director of the Bureau of Government Research and chairman of the department of political science at the University of Kansas, is serving on the Kansas State Governor's Committee on Fiscal Reorganization.

Otto Amann has been appointed as a research associate in the Bureau of Public Administration of the University of Tennessee.

Hans Aufricht of the legal department of the International Monetary Fund has been conducting a graduate seminar on international finance at the American University during the winter term.

Ernest Bartley has been advanced to an associate professorship at the University of Florida.

Paul Beckett is on leave from the State College of Washington to serve as professor of public administration and chairman of a new department of public administration at the American University of Beirut, Beirut, Lebanon. The new department is being organized under a grant of Point Four Program funds and is to provide training for students who desire to enter the service of governments in the Near East.

Eric C. Bellquist has returned to the University of California (Berkeley) after two years' service as public affairs officer, United States Embassy, Stockholm. He has been promoted to a full professorship at the University of California (Berkeley).

George S. Blair has been appointed assistant professor of political science and training officer in public administration at the University of Tennessee.

George I. Blanksten recently returned to his position as assistant professor of political science at Northwestern University after a year spent in Argentina on a Social Science Research Council fellowship.

R. Wallace Brewster became head of the department of political science of the Pennsylvania State College on July 1, 1951, to serve for a three-year period. He succeeded Professor M. Nelson McGeary, who was head of the department for a three-year term.

Alfred G. Buehler of the University of Pennsylvania has been serving as chairman of the

Emergency Tax Study Committee of the Commonwealth of Pennsylvania, and as tax consultant for the Vermont Tax Study Commission.

Eugene Burdick has returned to the University of California (Berkeley) after a period of service as academic consultant for an advanced course in strategy and sea power at the Naval War College, Newport, Rhode Island.

Harwood L. Childs, professor of politics at Princeton University, was a visiting professor at New York University during the fall term of the session of 1951–52.

Edgar B. Cale has returned to the department of political science at the University of Pennsylvania following a two-year leave of absence during which he served as executive secretary of the Commission which drafted the new home-rule charter for the City of Philadelphia. He has been named associate director of the new Albert M. Greenfield Center for Human Relations, which has offices on the campus of the University of Pennsylvania.

Kenneth C. Cole has been named acting chairman of the department of political science of the University of Washington.

Thomas I. Cook of the Johns Hopkins University is serving as a public member of the Federal Wage Stabilization Board at Richmond, Virginia.

Robert C. DaCosta has resigned his position at the University of Tennessee to accept a position in New York City.

Enriqueta de Diaz-Thomé of the faculty of the *Collegio de Mexico* is a visiting lecturer, for the current academic year, in Latin-American government in the department of political science and the School of Inter-American Studies at the University of Florida. The lectureship is sponsored by the University of Florida under a grant from the United States Department of State.

J. E. Dovell has been advanced to an associate professorship at the University of Florida.

Paul S. Dull will be on sabbatical leave from the University of Oregon during the academic year 1952–53. He has been awarded an area travel grant by the Social Science Research Council for study in Japan, and will spend the sabbatical year studying Japanese political behavior.

William Ebenstein, professor of politics at Princeton University, has recently been teaching a course in the history of political theory at the New School of Social Research, New York City.

John H. Ferguson, on sabbatical leave from Pennsylvania State College, served on behalf of the American Friends Service Committee as an observer at the recent meeting of the United Nations Assembly in Paris.

Ludwig F. Freund has returned to Roosevelt College after spending nine months in Germany under a travel grant from the United States Department of State. While in Germany, he served as guest professor of political science at the University of Erlangen and the College of Political Science at Munich.

John Gill has resigned his position as research associate in the Bureau of Public Administration of the University of Tennessee to accept an appointment with the Army Civilian Overseas Personnel in Turkey.

Morton M. Grodzins has been appointed editor of the University of Chicago Press, but will continue to maintain his connection with the University's department of political science, in which he is associate professor.

Ernst B. Haas has been appointed lecturer in political science at the University of California (Berkeley).

J. Eugene Harley has been named head of the department of political science at the University of Southern California.

John S. Harris is serving as visiting associate professor of political science at the University of Tennessee for the academic year 1951–52.

Francis Heller has been promoted to an associate professorship in political science at the University of Kansas, and has been granted a leave of absence from the University for military duty. He is stationed at Fort Bragg, North Carolina.

Willard N. Hogan has taken a semester's leave from his position at the State University Teachers College, New Paltz, New York, for work, under the auspices of the Brookings Institution, on a study of the United Nations.

Jack Holmes has resigned from his position at the University of New Mexico to become director of the New Mexico Legislative Council.

Alfred J. Hotz has been advanced to a full professorship and named chairman of the department of political science at Western Reserve University.

Frederick C. Irion, associate professor of government at the University of New Mexico, has been appointed director of the Division of Government Research at that institution.

Horace B. Jacobini, formerly an instructor at The Citadel, has joined the staff of the Huntsville Center of the University of Alabama as assistant professor of political science.

Philip E. Jacobs has been named director of the Summer School and of College Collateral Courses at the University of Pennsylvania.

Norman Jacobson joined the political science staff of the University of California (Berkeley) as instructor in the fall of 1951.

Carey B. Joynt, formerly a graduate student at Clark University, has been appointed to an assistant professorship in the department of international relations at Lehigh University.

William J. Keefe, formerly a graduate student at Northwestern University, has joined the staff of the Birmingham Center, University of Alabama, as assistant professor of political science.

A. E. A. Kermin, professor of modern history at Ibrahim Pasha University, Shubra, Cairo, Egypt, is a visiting member of the staff of the Woodrow Wilson School of Foreign Affairs of the University of Virginia, where he is aiding in the development of a program in modern Near Eastern studies. He has come to the University of Virginia through the assistance of the Conference Board of the Associated Research Councils under the Fulbright program for foreign professors.

Robert N. Larson is serving on the staff of the University of Rhode Island during the absence of Assistant Professor John O. Stitely.

J. T. Law is on leave from his position at Pennsylvania State College and is engaged in graduate study at the University of Wisconsin.

George Lenczowski of Hamilton College is serving as visiting associate professor at the University of California (Berkeley) during the spring semester of 1952.

Albert Lepawsky is on leave from his position at the University of Alabama for the spring semester of 1951–52 to serve as visiting professor at the University of California (Berkeley) during the absence of Professor Samuel C. May.

Edmund Lesoir of Brussels, Belgium, has resigned as secretary general of the International Institute of Administrative Sciences after serving for many years in this capacity. He will remain with the Institute as honorary secretary general and consultant.

Werner Levi has been advanced to a full professorship at the University of Minnesota.

Leslie M. Lipson has been advanced to a full professorship at the University of California (Berkeley).

Norton Long has resumed his teaching and research duties at Western Reserve University after an extended assignment as consultant to the Defense Production Administration in Washington, D. C.

Herbert McClosky has been advanced to an associate professorship at the University of Minnesota.

Austin F. Macdonald of the University of California (Berkeley) is on sabbatical leave for the spring semester of the academic year 1951–52. He is spending his leave in travel and study in England and Europe.

Hugh R. Marshall has been advanced to an assistant professorship at the University of Florida.

Charles E. Martin has resigned from the chairmanship of the department of political science of the University of Washington, a post which he has held for approximately a quarter of a century. He will devote full time to his work as professor of international law and political science and director of the Institute of International Affairs at the University of Washington.

Robert E. Matteson has been appointed lecturer in political science at the University of Pennsylvania.

Samuel C. May of the University of California (Berkeley) is on sabbatical leave for the spring semester of the academic year 1951–52.

Arthur Naftalin has been advanced to an associate professorship at the University of Minnesota.

William Nolan has resigned from his position as research associate in the Bureau of Public Administration of the University of Tennessee, after being called to active duty in the military service.

Lowell G. Noonan has been promoted to an assistant professorship at the University of Southern California.

Peter H. Odegard is on leave from the University of California (Berkeley) for the academic year 1951–52, and is spending the year in England and Europe. His activities while abroad have included a series of lectures by him at Oxford University.

Frederic D. Ogden has been advanced to an assistant professorship in political science at the University of Alabama.

Louise Overacker is on a year's leave from Wellesley College for a study of labor parties in Australia and New Zealand under a Guggenheim fellowship.

Ira Polley, formerly assistant professor of political science at Michigan State College, and more recently a field examiner of the National Labor Relations Board, has been named chairman for Region 8, Wage Stabilization Board. The Region includes the states of Minnesota, North Dakota, South Dakota and Montana, and Douglas County, Wisconsin.

Harold S. Quigley has resigned from the chairmanship of the department of political science at the University of Minnesota, but will continue as professor of political science at that institution.

Jesse W. Reeder, who recently received his doctorate at Cornell University, is serving as lecturer in political science at the University of Utah for the academic year 1951–52.

Allan R. Richards has been appointed assistant professor of government at the University of New Mexico.

Clarence W. Rife of Hamline University served as visiting professor in the "Washington Semester Program" at the American University during the first semester of 1951–52.

Paul M. Rilling, formerly an instructor at North Texas State College, has joined the staff of the Mobile Center, University of Alabama, as an instructor.

Paul Schillings has been named director of services of the International Institute of Administrative Sciences, with headquarters in Brussels, Belgium. In this capacity he will take over the duties formerly performed by Mr. Edmund Lesoir as secretary general of the Institute. In addition, he will continue in his position as director of the Institute's Administrative Practices Office.

Lloyd N. Short became chairman of the department of political science at the University of Minnesota at the beginning of the winter quarter of 1952.

Frank Smith has resigned from his position as research associate in the Bureau of Public Administration of the University of Tennessee, after being called to active duty in the military service.

T. Noel Stern has taken a year's leave from his position as assistant professor of political science at Boston University to accept a Fulbright fellowship. He is spending the year in France, where his activities include lectures at the University of Rennes, the University of Strasbourg and the University of Grenoble.

William S. Stokes of the University of Wisconsin is serving as visiting professor at the University of California (Berkeley) for the academic year 1951–52 during the absence of Professors Odegard and Macdonald.

William D. Stout has resigned from his position as instructor in political science at the University of Tennessee to accept an appointment with the Army Civilian Overseas Personnel in Japan.

Dorothee Strauss has been appointed research associate in the Bureau of Public Administration at the University of Tennessee.

Robert Strausz-Hupe, associate professor of political science at the University of Pennsylvania, has been named chairman of the International Relations Group Committee of that institution.

Thor Swanson has been appointed to an instructorship in public administration at the State College of Washington to serve during the absence of Professor Paul Beckett.

Carl B. Swisher of the Johns Hopkins University is serving as director of research for the Maryland Commission on Administrative Organization.

Julian Towster, who has been serving as a visiting associate professor at the University of California (Berkeley), has been appointed to an associate professorship at that institution.

James D. Van Putten of Holland, Michigan, is a visiting member of the political science staff at the State University Teachers College, New Paltz, New York, during the absence of Professor Willard Hogan.

A. Curtis Wilgus, formerly of George Washington University, has been appointed director of the School of Inter-American Studies at the University of Florida.

René Williamson is serving as acting head of the department of political science of the University of Tennessee during the absence of Professor Lee S. Greene.

IN MEMORIAM

Because they express sentiments widely shared in the profession, the "Memorial Resolutions of the Faculty *of the University of Wisconsin on the Death of Frederic* Austin Ogg" are presented below (*Ed.*).

Frederic Austin Ogg, Emeritus Professor of Political Science, died at his home in Madison on October 23, 1951. He was a member of our faculty for thirty-four years. Professor Ogg, and through him the University of Wisconsin, was known and revered, in every land where men and women concern themselves with the scholarly study of government.

He was born in Solsberry, Indiana, February 8, 1878, and grew up on a farm. The family moved to Greencastle partly so that Frederic might go to college. At DePauw University he quickly and zestfully discovered his bent for a scholarly career. He received the Ph.B. from DePauw in 1899, the A.M. from Indiana University in 1900, and the Ph.D. in history from Harvard University in 1908. In 1903 he married Emma Virginia Perry. His teaching began at Manual Training High School in Indianapolis in 1900. There followed academic posts in history at Indiana University, Harvard University, Boston University and Simmons College.

In 1914 he accepted the invitation of the University of Wisconsin to become an associate professor of political science; and he and Mrs. Ogg established at 1715 Kendall Avenue a gracious home which was also a workshop. Here he followed a routine of incredible labor, usually beginning at eight in the morning and ending at midnight, varied principally by the social occasions which he and Mrs. Ogg enjoyed. This routine enabled him to do the work of many men. As teacher he lectured in a variety of courses, moving from American government, through comparative government, to the government and politics of the Far East, his teaching delight of later years. Because he did not like to teach large courses in subjects on which he had written books, he turned instead to the training of graduate students. These students occupy important academic and government posts in many parts of the world. In 1950 fifteen of them, younger leaders in many fields, published *The Study of Comparative Government*, a volume of essays in his honor. He was chairman of his department and of the graduate division of social studies for many years; and during 1944–1946 he was chairman of the Curriculum Committee of the College of Letters and Science, where his judicious, wise, and patient leadership contributed immeasurably to improvements in the curriculum accepted by the faculty.

As author, his seventeen major books include works in medieval history, American history, biography, and the economic and social development of Europe, as well as on research in the humanistic and social sciences. Most famous is Ogg and Ray's *Introduction to American Government and Politics*. At the end he was working on a new edition of this monumental textbook, now a national college and university institution in the United States. Gray-haired professors brought up on the early editions of Ogg and Ray (the first appeared in 1922) are now requiring their students to read the tenth (1951). It is probable that no single systematic book on the nature and meaning of American political ideas and institutions, has been read by so many people. His *English Government and Politics* (1929, 1936) is received in England and America alike as one of the best standard works. In 1949 his *Modern Foreign Governments* (with Harold Zink) appeared, successor to the earlier *Governments of Europe* (1913, 1920) and *European Governments and Politics* (1934, 1939). The compilation of the definitive bibliography of his books and articles will be an arduous task.

As editor and otherwise, Ogg worked at the center of American political science. He was editor both of the Century Political Science Series and of the *American Political Science Review*. The Series includes thirty titles, many of which are landmarks (one won a Pulitzer Prize); and several of them were suggested by him and planned with his consultation. His editorship of the *Review* occupied him from 1926 to 1949: its pages faithfully reflect his concern with every major development, and with every faint stirring of new promise, in almost a quarter-century of a field's unprecedented professional growth. He belonged to many learned societies, and was the representative of the American Political Science Association in the American Council of Learned Societies. DePauw University, where as a youth he had found himself, made him a Doctor of Laws in 1928. In 1941, after a leadership of many years in its affairs, he became President of the American Political Science Association.

When he retired in 1948, amid the acclamation of his students, colleagues, and friends, only his classroom teaching came to a close. He continued his work on the *Review* until 1949. His writing and his correspondence continued, and he was always available for wise and kindly advice and counsel. He participated in a department meeting less than two weeks before his death.

Such a career, considered in itself, commands respect and admiration. It is more remarkable that Frederic Ogg found time to be a rounded, warm-hearted, generous, and outgiving person. He gave, and gave unstintedly, of kindness, affection, and love. These gifts of his were conferred on his family, students, friends, colleagues, on children, on anyone who helped him, probably, indeed, on every human being with whom he came in contact. It is not surprising, therefore, that by those who came to know him well, he was beloved. And such was the atmosphere of the gracious home where Mrs. Ogg presided until her untimely passing in 1937 that former graduate students still remember Thanksgiving Dinners there for those who could not go home, exciting meetings of the Political Science Club, and stimulating conferences in the big booklined study. Often there was music, for Mrs. Ogg, also a leader in the League of Women Voters, was a trained musician. For students and colleagues alike a social occasion at the Oggs, with its warm sincerity and friendliness in a framework of dignity and courtly manners, was an experience to be treasured.

Graduate students came to Wisconsin out of respect for the work of Frederic Ogg, and left feeling in his debt for life. Able students developed rapidly under his direction. Poor work was never received with explicit or sharp disapproval, but with pained surprise that it was not better and with patient and detailed suggestion for its improvement. He understood alike the problems of the incompetent and of the merely inexperienced. In department conferences upon graduate careers, the final "No" was never said until, at his insistence, every favorable fact and circumstance had been fully explored. When it was necessary to turn students toward other careers, he always tried to do so in such a way as not to impair their essential faith in themselves. Despite his rigid routine, his time and patience in these respects seemed inexhaustible. Few, if any, left him without a lift and a clearer picture of the road ahead.

His colleagues in the department prized his justice and wisdom, and reciprocated his affection. Fledgling members and old hands alike were given his friendship and made to feel at home. He was aware of the progress and the problems of each individual, and busy in removing blocks and opening new ways. He kept the Wisconsin department among the leaders, partly because he never allowed the institution to dwarf the individual. Among the strong men who served with him there were significant differences of opinion; but these, due largely to his character and influence, were patiently worked out, and differences never led to factions. His sense of justice was felt by all who knew him, and he had a rare understanding of how human procedures, patiently pursued, could bring agreement and improvement from conflicting views deeply and strongly held. He believed in the accumulation of all possible information bearing on a problem; in the full and free discussion of all points of view; that it was always possible and desirable to separate essentials from non-essentials; that it was usually possible to agree by compromising non-essentials; that essentials should not be compromised (he would go down fighting rather than do this); and that the objective should be real, not merely formal, agreement.

This part of his fundamental outlook made him a sought-after participant and chairman in committee and group work. It made his department a "happy ship," and was of outstanding service to the University in the Letters and Science Curriculum Committee of 1944–1946, where sharply divergent educational philosophies were represented. Here he not only presided over innumerable meetings with extraordinary fairness and efficiency, but took on long and arduous special assignments, read widely in current educational literature, corresponded with curriculum-makers in other institutions, and brought to the discussions a wealth of concrete information as well as a reasonable and an enlightened point of view. Though he was not personally entirely convinced of the ideas which later became the program of Integrated Liberal Studies, it is probable that his leadership brought about the incorporation of these ideas in the Committee's report. His fair-minded presentation of the report—a magnificent educational document—brought about its whole-hearted acceptance by the faculty. And through two years of this work, in which feelings often ran high, he won and increased the admiration and affection of his colleagues.

His family was small: Mrs. Ogg; his father, William Ogg, who died in Indiana only recently; and a sister, Grace, who alone survives him. After Mrs. Ogg's death he asked a younger colleague to join him in the big house; and in later years he informally adopted the family of his former housekeeper, Mrs. Wick, as his own. His grandfatherly companionship with little Darla Wick was an expression of his lifelong joy in youth and children.

In sum, his students, colleagues, and many friends found the scholar Frederic Ogg to be a friendly and noble gentleman. They feel honored to have been associated over so many years with one who was unselfishly devoted to learning and to his duty; who came to honors, leadership, and greatness naturally but with great labor; who wore his emblems with grace, tact, and wisdom; and whose every personal and professional relationship was lighted up by his love of humankind.

Respectfully submitted,

Merle Curti, History
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